



FLORIDA DEPARTMENT OF Environmental Protection

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For Planning Board packet

Permittee/Authorized Entity:

Marco River Marina, Inc.
% Dan High
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Marco Island, Florida 34145
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Rose Marina Reconfiguration

Authorized Agent:

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Environmental Resource Permit

**State-owned Submerged Lands Authorization – Granted Pending Document
Execution**

**U.S. Army Corps of Engineers Authorization – Separate Corps Authorization
Required**

Permit No.: 143569-014 EI
Lease No.: 110874995

Permit Issuance Date: December 19, 2024
Permit Construction Phase Expiration Date: December 19, 2029

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee: Marco River Marina, Inc.

Permit No: 143569-014 EI

Lease BOT#: 110874995

PROJECT LOCATION

The activities authorized by this permit and sovereignty submerged lands authorization are located on an approximately 3.78-acre site and is not part of a larger common plan of development at 951 Bald Eagle Drive in Marco Island, Florida 34145, Parcel ID 56930080005, in Section 16, Township 52 South, Range 26 East in Collier County, at 25° 57' 43.72" North Latitude, 81° 43' 38.34" West Longitude.

PROJECT DESCRIPTION

The permittee is authorized to maintain and operate the existing marina facility, excavate 106 cubic yards of privately owned uplands for new forklift boat launch, repair 923 linear feet of existing seawall, remove 1,276 square feet of existing dock, construct a 4,675 square foot piling supported overwater restaurant within a privately owned boat basin, construct 1,119 square feet of fixed docks, construct approximately 4,827 square feet of floating docks, and reduce the total uncovered wet slips from 127 to 122 within Marco River, Class II, Unclassified for shellfish harvesting, Florida Waterbody.

The permittee is also authorized to construct 128-slip dry slip storage racks with an associated stormwater management system with an existing 144-dry slip storage building for a total number of 272 dry slips.

The Permittee is authorized to construct and use of a total of 35,240 square feet of overwater structure including 51 slips within SLL, pre-empting 111,029 square feet of state-owned sovereignty submerged lands and 71 slips within a man-made basin which includes the overwater restaurant. The total number of un-covered wet slips is being reduced from 127 existing to 122.

The peninsula area where the proposed improvements are taking place will largely consists of gravel that will act as one (1) dry retention pond. A reduction in total impervious area and the addition of this system are expected to be a net water quality benefit for the site. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Rose Marina Reconfiguration

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

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Sovereignty Submerged Lands Authorization

As staff to the Board of Trustees under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a lease modification, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

The final documents required to execute the lease modification will be sent to the lessee by the Department's Division of State Lands for execution. The Department intends to issue the lease modification, upon satisfactory execution of those documents, including payment of required fees and compliance with the conditions in this permit. **You may not begin construction of the activities described until you receive a copy of the executed lease modification from the Department.**

Federal Authorization

Your proposed activity as outlined on your application and attached drawings does not qualify for Federal authorization pursuant to the State Programmatic General Permit and a SEPARATE permit or authorization shall be required from the Corps. You must apply separately to the Corps using their *APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT*, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – ADMINISTRATIVE/EMERGENCIES

1. The permittee shall be responsible for keeping records documenting that relevant permit conditions are met. This documentation shall include, at a minimum, the date of each inspection, the name and qualifications of the inspector, any maintenance actions taken, and a determination by the inspector as to whether the system is operating as intended. Inspection documentation must be readily available and shall be provided at the Department's request. Submittal of the inspection documentation to the Department is not required.
2. Within 30 days of any failure of a stormwater management system or deviation from the permit, a report shall be submitted to the Department on Form 62-330.311(1), Operation and Maintenance Inspection Certification, describing the remedial actions taken to resolve the failure of deviation. This report shall be signed and sealed by a registered professional.
3. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is (800) 320-0519 (State Warning Point). The Department telephone number for reporting non-threatening problems or system malfunctions is (239)344-4055, day or night.
4. The mailing address for submittal of forms for the “Construction Commencement Notice”, “As-Built Certification ...”, “Request for Conversion of Stormwater Management Permit Construction Phase to Operation and Maintenance Phase”, or other correspondence is FDEP, South District PO box 2549, Fort Myers, 33902.

SPECIFIC CONDITIONS – PRIOR TO ANY CONSTRUCTION

5. This permit does not authorize the construction of any additional structures not illustrated on the permit drawings.
6. Best management practices for erosion control shall be implemented prior to construction activities and maintained at all times during construction to prevent siltation and turbid discharges into adjacent wetlands. Methods shall include but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site. Erosion control methods shall be implemented as described and shown in the attached permit drawings. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all stages of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.
7. The terms, conditions, and provisions of the required lease shall be met. Construction of this activity shall not commence on sovereign submerged lands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all required lease documents BOT No: 110874995 have been executed to the satisfaction of the Department.
8. Floating turbidity curtains with weighted skirts that extend to within 1 foot of the bottom shall be placed around the construction area prior to the initiation of work authorized by this permit. The screens shall be maintained and remain in place for the duration of the construction to ensure turbidity levels outside the construction area do not exceed 29 NTU's above background levels. The permittee shall be responsible for inspecting and maintaining turbidity control devices so no degradation of the water quality of Florida Waters outside of the turbidity screens occurs. Turbidity shall be monitored as described in the monitoring portion of this permit.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

9. Construction and operation of the project shall comply with applicable State Water Quality Standards, namely:
 - Rule 62-302.500, F.A.C. – Surface Waters: Minimum Criteria, General Criteria; and
 - Rule 62-302.530, F.A.C. – Table: Surface Water Quality Criteria - Class II Waters.
10. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit, unless an application for extension is received and approved pursuant to Rule 62-330.320, F.A.C. If construction of the stormwater management system authorized by this environmental resource permit has not been completed and continued use of the system formally transferred to the operating phase before the expiration date of the permit, or an authorized extension, then at least 60 days before such expiration date, the permittee shall apply for another individual stormwater permit, using the forms and accompanied by the fee required by rules in effect at that time.

11. All CCA-treated pilings associated with the permitted activity shall be wrapped with impermeable plastic or PVC sleeves with a minimum of 30 mil thickness. The sleeves shall be installed concurrently with the installation of the pilings, shall extend from at least 6 inches below the level of the substrate to at least 2 feet above the mean high-water line. Pilings which have to be replaced during the life of the facility shall meet the requirements of this condition.
12. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.
13. Erosion controls shall remain in place until the filled area has sufficient vegetative coverage to ensure stability and prevent erosion into the surrounding surface waters. Grass seed and mulch or sod shall be installed and maintained on all exposed slopes and disturbed soil areas within 48 hours of completing final grade, and at any other time as necessary, to prevent erosion, sedimentation, or turbid discharges into adjacent wetlands. A vegetative cover that stabilizes and prevents erosion of the fill material shall be established within 60 days of sodding or seeding. Upon establishment of a substantial vegetative cover, all erosion control devices shall be removed.
14. All material used as fill shall be clean sand/fill dirt/shell material and shall not be contaminated with vegetation, garbage, trash, tires, hazardous waste, and deleterious materials.
15. If any construction de-watering is required, which results in an offsite discharge of groundwater, the permittee and/or the contractor shall ensure that the requirements of pertinent portions of Chapter 62-621, F.A.C. are met. Please contact the FDEP Wastewater Department at 850-595-8300, for more information.
16. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.
17. Any damage to surface waters outside of the authorized work areas as a result of construction shall be immediately reported to the Department at (850)595-8300 and repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size, and density as that in the adjacent areas. The restoration shall be completed within 30 days of completion of construction, and the Department shall be notified of its completion within that same 30-day period.
18. Watercraft associated with the construction of the permitted structure shall operate within waters of sufficient depth to preclude bottom scouring, prop dredging or damage to submerged bottom or submerged resources. During all construction activities, there shall be a minimum of 1-foot clearance between the draft of the construction vessel/barge and the top of any submerged resources or submerged bottom.

SPECIFIC CONDITIONS – MANATEES

19. The total number of slips, inclusive of all mooring, shall be limited to 394 (272 dry slips and 122 wet slips).
20. While performing backfilling between the bulkheads, it is important to ensure that manatees or sea turtles do not become entrapped during sheet pile installation or gain access after the sheet pile has been installed and before filling work has been completed. If a manatee or sea turtle becomes entrapped, the area shall be opened to allow the manatee or turtle to leave of its own volition. It shall not be herded or harassed into leaving the area.
21. The Permittee shall install permanent manatee educational signs, which shall be maintained for the life of the facility, no later than 60 days after construction commencement. The number and types of signs, as well as the on-site locations shall be approved by FWC staff prior to installation. A proposal for FWC sign approval shall be submitted to ImperiledSpecies@MyFWC.com in accordance with information provided at <https://myfwc.com/wildlifehabitats/wildlife/manatee/education-for-marinas/>. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged, or faded.
22. The Permittee shall install permanent manatee educational signs, which shall be maintained for the life of the facility, no later than 60 days after construction commencement. The number and types of signs, as well as the on-site locations shall be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to installation. A proposal for FWC sign approval shall be submitted to ImperiledSpecies@myfwc.com in accordance with information provided at FWC's website: <http://www.myfwc.com/wildlifehabitats/managed/manatee/education-formarinas/>. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded.
23. To reduce the risk of entrapment and drowning of manatees, manatee exclusion devices (such as grating) shall be installed and maintained over any existing or proposed pipes or culverts greater than 8 inches, but smaller than 8 feet in diameter that are submerged or partially submerged and reasonably accessible to manatees. If horizontal or vertical bars are used, no more than 8-inch gaps on center shall be allowed. Grates shall be in place at the accessible end(s) during all phases of the construction process and as a final design element to restrict manatee access.
24. The Permittee shall install bins for the disposal or recycling of monofilament line or other used fishing gear, which shall be maintained for the life of the facility, no later than 60 days after construction commencement. Educational signs encouraging the use of these bins shall be posted. A proposal for the location of the bin and the sign shall be submitted to ImperiledSpecies@myfwc.com. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded.

SPECIFIC CONDITIONS – OTHER LISTED SPECIES

25. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.
26. Due to potential impacts to reddish egret foraging habitat, FWC staff recommend that the Applicant consult the [Species Conservation Measures and Permitting Guidelines for Threatened Wading Birds](#) to determine if take is likely to occur or will be entirely avoided. If take is likely to occur or avoidance measures cannot be met, the Applicant should contact the FWC Protected Species Office at 850-921-5990 or WildlifePermits@MyFWC.com to discuss permitting options.

SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS

27. Turbidity levels outside the construction area shall not exceed 29 NTU’s above background levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background.
- Notify the Department at 239-344-5600 at the time the violation is first detected.
 - Immediately cease all work contributing to the water quality violation.
 - Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.
 - Perform turbidity monitoring.
 - Resume construction activities once turbidity levels outside turbidity curtains fall below ambient within the Aquatic Preserve.

Measurements must be acquired in adherence to the Department’s Standard Operating Procedure (SOP) for field turbidity, available at the website: www.dep.state.fl.us/labs/qa/sops.htm. More specifically, the instruments used to measure turbidity shall be fully calibrated within one month of the commencement of the project, and at least once a month thereafter during the project. Calibration shall be verified each morning prior to use, and after each time the instrument is turned on, using a turbidity “standard” that is different from the one used during calibration.

SPECIFIC CONDITIONS – CONSTRUCTION COMPLETION

28. Within 30 days after completion of construction of the permitted or authorized activity, and prior to transfer to operation, the permittee/lessee shall submit an As-Built Survey signed, sealed and dated by a Florida licensed Surveyor and Mapper in accordance with Chapter 61G17-7, F.A.C. The Survey shall depict the boundaries of the lease, including the entire preempted area and shall show the size and dimensions of all existing overwater structures

and activities, including mooring pilings, located within the lease area. The Survey shall contain a statement that all of the depicted structures and activities occur within the lease boundary, if applicable. If the surveyor observes that structures or activities are occurring outside of the lease area, the surveyor shall document the condition in the statement and note the deviations on the Survey. Constructed deviations may require a permit or lease modification.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

29. The authorized stormwater management system shall be completed prior to or simultaneously with associated upland development.
30. Once project construction has been deemed complete, including the re-stabilization of all side slopes, embankments, and other disturbed areas, and before the transfer to the Operation and Maintenance phase, all obsolete erosion control materials shall be removed.
31. The permittee shall be responsible for keeping records documenting that relevant permit conditions are met. This documentation shall include, at a minimum, the date of each inspection, the name and qualifications of the inspector, any maintenance actions taken, and a determination by the inspector as to whether the system is operating as intended. Inspection documentation must be readily available and shall be provided at the Department's request.
32. All structures authorized by this permit shall remain in operable condition and shall not be allowed to deteriorate or otherwise contribute to a water quality violation for the life of the facility. All stormwater structures identified by this permit shall be maintained in proper working order for the life of the facility.
33. Percolation performance for the stormwater management system shall be evaluated within the system at least every third year. If there is evidence of inadequate percolation, the pond bottom must be re-scarified or deep-raked to restore percolation characteristics. If reworking the pond bottom fails to restore adequate percolation, additional retention area restoration shall be performed as follows:
 - a. Remove the top layer of the retention area bottom material to a depth of 2 to 3 inches and scarify or deep-rake the excavated bottom.
 - b. Replace excavated bottom material with suitably permeable material and restore the pond bottom to design grade.
34. Inspections by the Permittee.
 - a. The stormwater management system shall be inspected periodically for accumulation of debris and trash. Accumulations of debris and trash that negatively affect the function of the system shall be removed upon discovery.
 - b. The stormwater management system shall be inspected periodically for silt accumulation. Accumulations of silt that negatively affect the function of the system shall be removed.
35. The stormwater management system shall be inspected by a registered professional to evaluate whether the system is functioning as designed and permitted. Percolation

performance should specifically be addressed. The registered professional may record his inspection on Form No. 62-330.311(1), Operation and Maintenance Inspection Certification or may provide his evaluation in any other format; however any report must be signed and sealed by the registered professional. Submittal of the inspection report to the Department is not required; but the report shall be made available to the Department upon request.

Inspections shall be made by the registered professional in accordance with this schedule:

- a. On the first anniversary of the date of conversion to Operation and Maintenance Phase.
- b. Every fifth year on the anniversary of conversion to Operation and Maintenance phase, after the first year of successful operation.

36. Within 30 days of any failure of a stormwater management system or deviation from the permit, a report shall be submitted to the Department on Form 62-330.311(1), Operation and Maintenance Inspection Certification, describing the remedial actions taken to resolve the failure of deviation. This report shall be signed and sealed by a registered professional.
37. The marina shall be operated in accordance with the revised Rose Marina - Marina and Operations Plan (attached).

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a

project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;

- b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
- a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be

considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

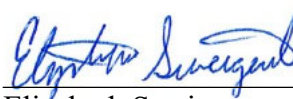
The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Lee County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Elizabeth Sweigert
District Director
South District Office

Attachments:

22 project drawing(s)

Rose Marina – Marina Operations and Management Plan

‘Post Issuance’ forms: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments, including all copies, were sent to the addressee and to the following listed persons:

Robert Epperson, Collier County Property Appraiser, REpperson@collierappraiser.com
Celeda Wallace, Division of State Lands, BOT #110874995, celeda.wallace@floridadep.gov
FWC, Imperiled Species Management Section,
FWCConservationPlanningServices@myfwc.com
U.S. Army Corps of Engineers, Fort Myers Office, fdep.other@usace.army.mil

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated Department clerk, receipt of which is hereby acknowledged.

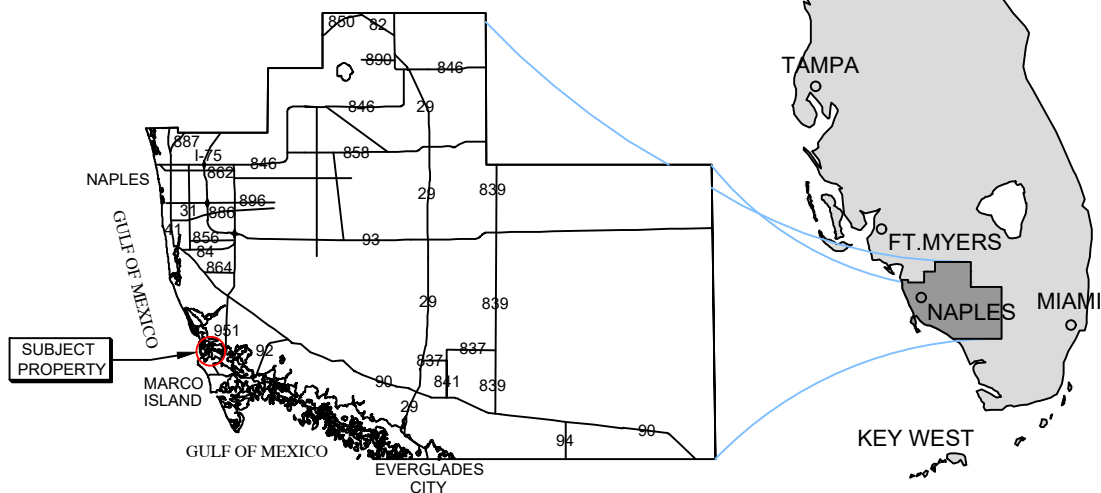
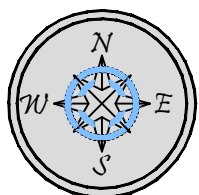


Clerk

December 19, 2024

Date

STATE OF FLORIDA



COLLIER COUNTY

SITE ADDRESS:

<> 951 BALD EAGLE DR
MARCO ISLAND, FL 34145

<> LATITUDE: N 25.962174

<> LONGITUDE: W -81.726470

NOTES:

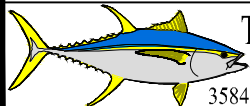
<> THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY
AND ARE NOT INTENDED FOR CONSTRUCTION USE.



VICINITY MAP



COUNTY AERIAL



Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 84 Exchange Ave. Naples, FL 34104-3732

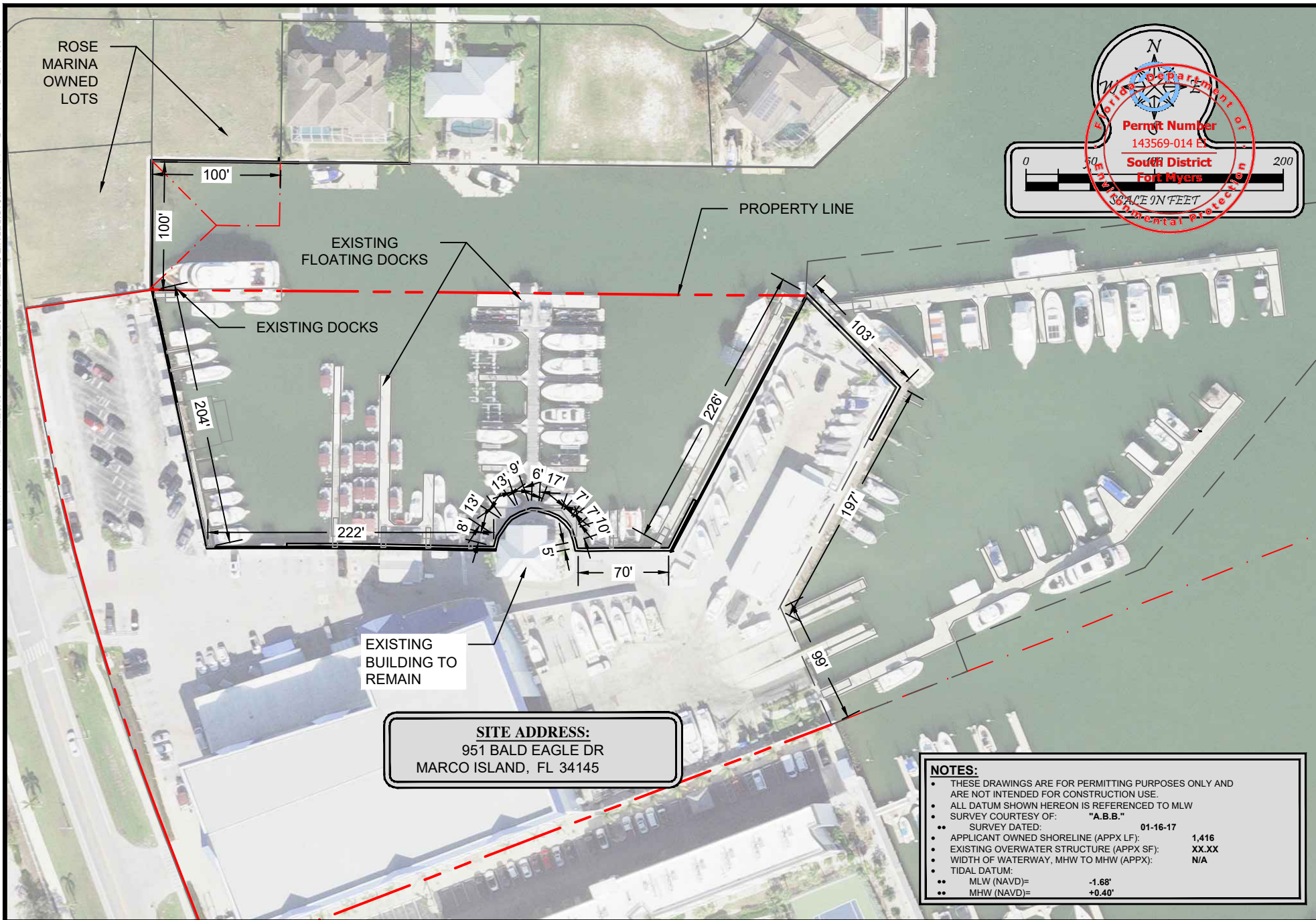
Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

ROSE MARINA

LOCATION MAP

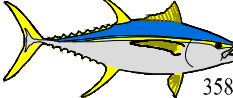
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE

DESIGNED:	AP	1.	REVJ	DATE:	10-09-24	CIRK BY:	CHANGED:	
DRAWN BY:	RMJ	2.	-	-	-	-	-	SHEET 04, 06, NEW SHT 13
CREATED:	08-09-24	3.	-	-	-	-	-	
JOB NO.:	9812.9	4.	-	-	-	-	-	
SHEET NO.:	01 OF 13	5.	-	-	-	-	-	
SECTION- 16		TOWNSHIP- 52S			RANGE- 26E			



NOTES:

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- ALL DATUM SHOWN HEREON IS REFERENCED TO MLW
- SURVEY COURTESY OF: "A.B.B."
- SURVEY DATED: 01-16-17
- APPLICANT OWNED SHORELINE (APPX LF): 1,416
- EXISTING OVERWATER STRUCTURE (APPX SF): XX.XX
- WIDTH OF WATERWAY, MHW TO MHW (APPX): N/A
- TIDAL DATUM:
 - MLW (NAVD)= -1.68'
 - MHW (NAVD)= +0.40'



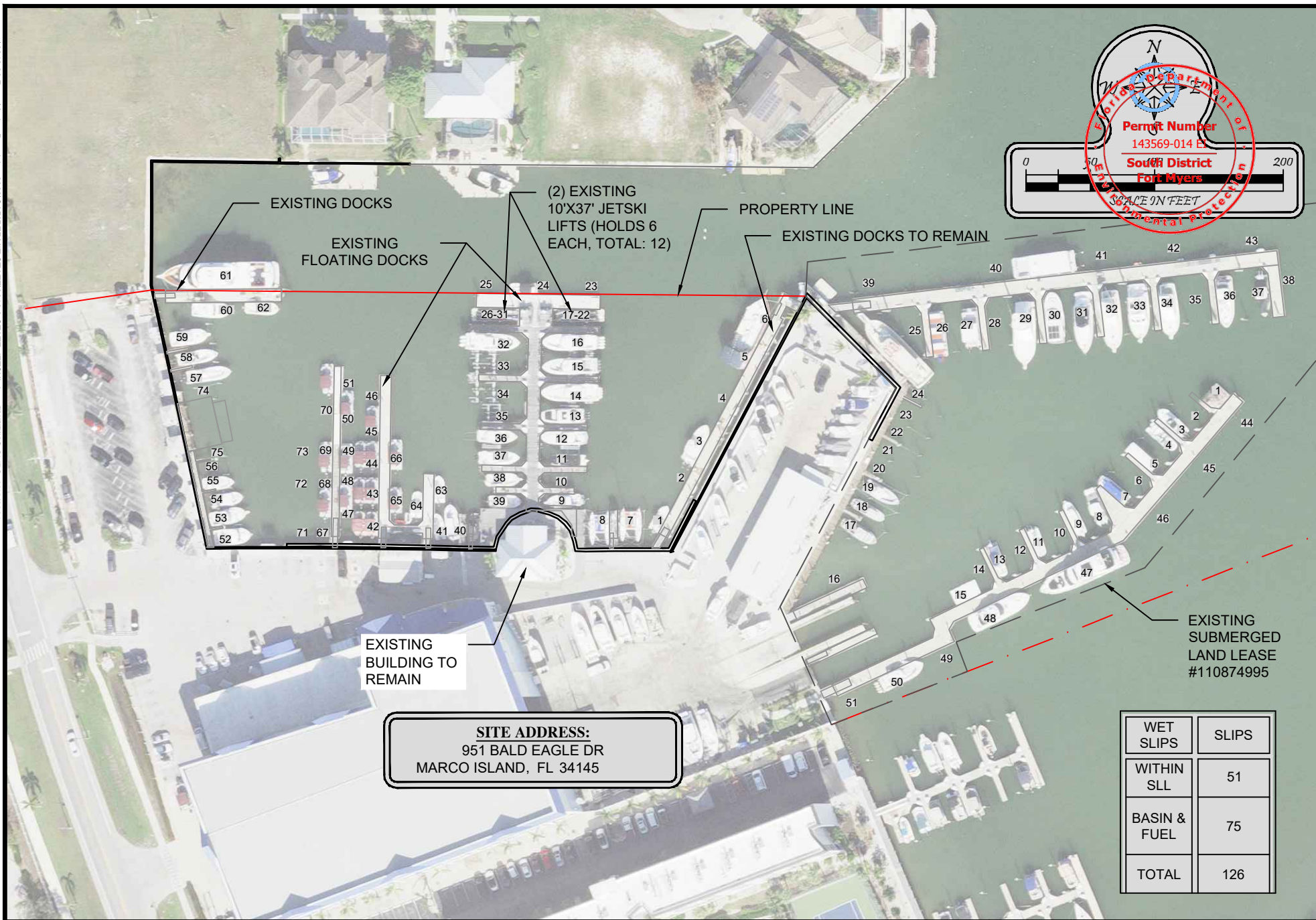
Turrell, Hall & Associates, Inc.
 Marine & Environmental Consulting
 3584 Exchange Ave. Naples, FL 34104-3732
 Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

ROSE MARINA

SHORELINE PLAN

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	10-09-24	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	13 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16 TOWNSHIP- 52S RANGE- 26E



WET SLIPS	SLIPS
WITHIN SLL	51
BASIN & FUEL	75
TOTAL	126



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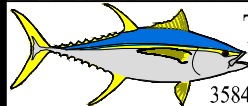
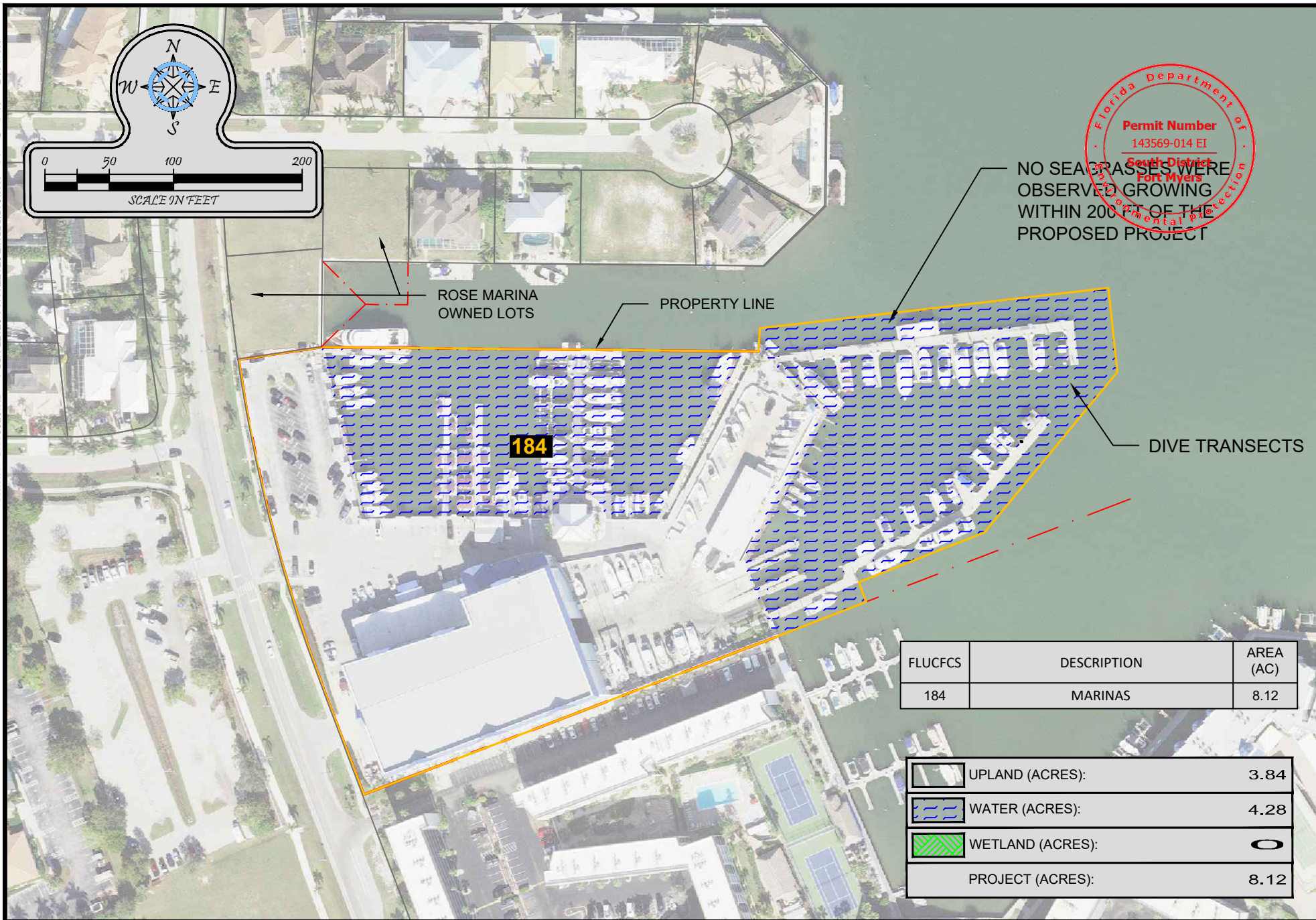
ROSE MARINA

EXISTING SLIPS

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-25-23	AP	ADDED DOCKS TO BE REMOVED
CREATED:	11-11-22	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	02 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16 TOWNSHIP- 52S RANGE- 26E



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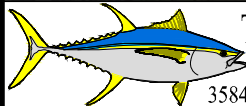
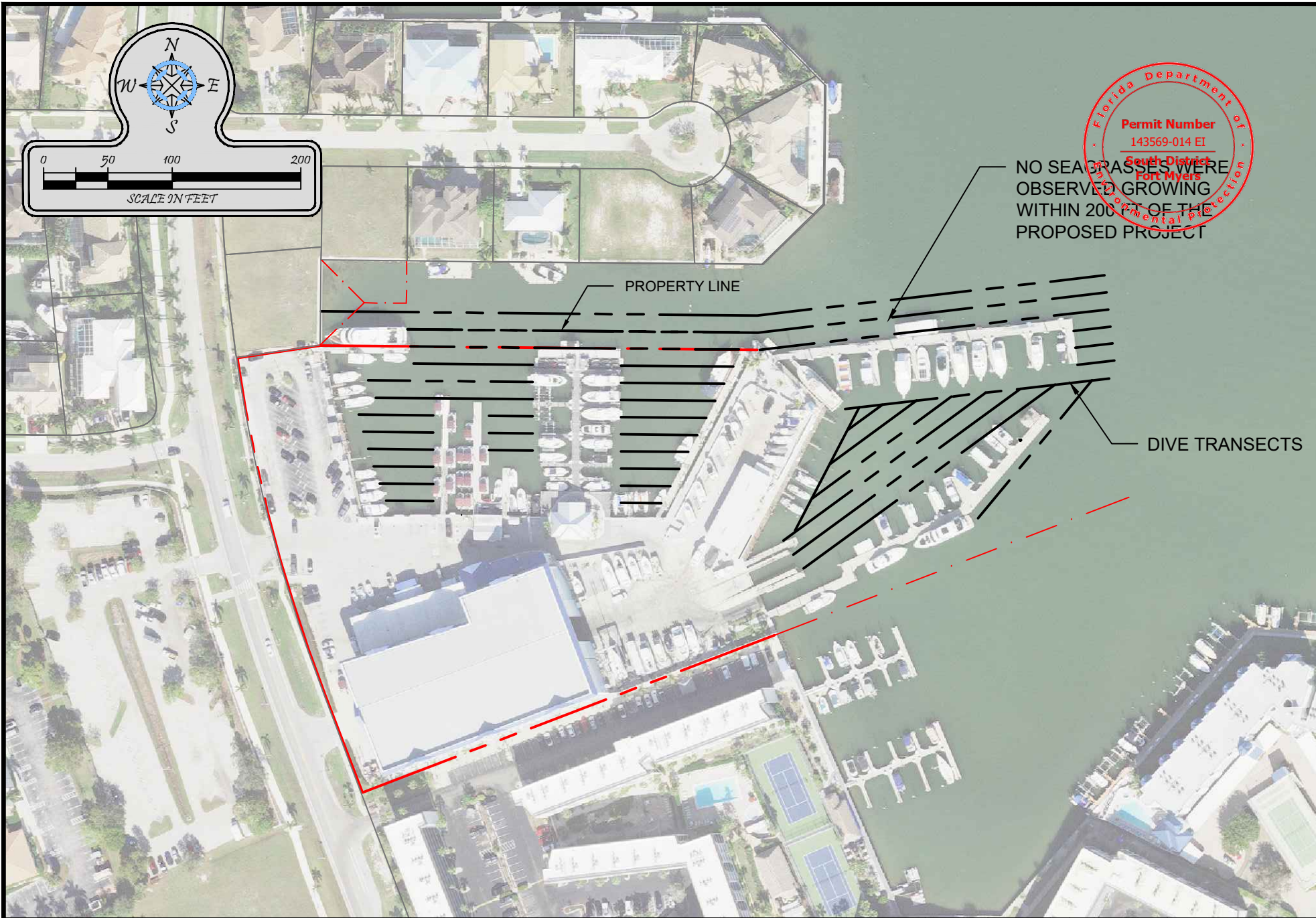
ROSE MARINA

FLUCFCS MAP

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-09-24	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	02 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16 TOWNSHIP- 52S RANGE- 26E



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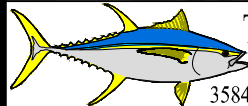
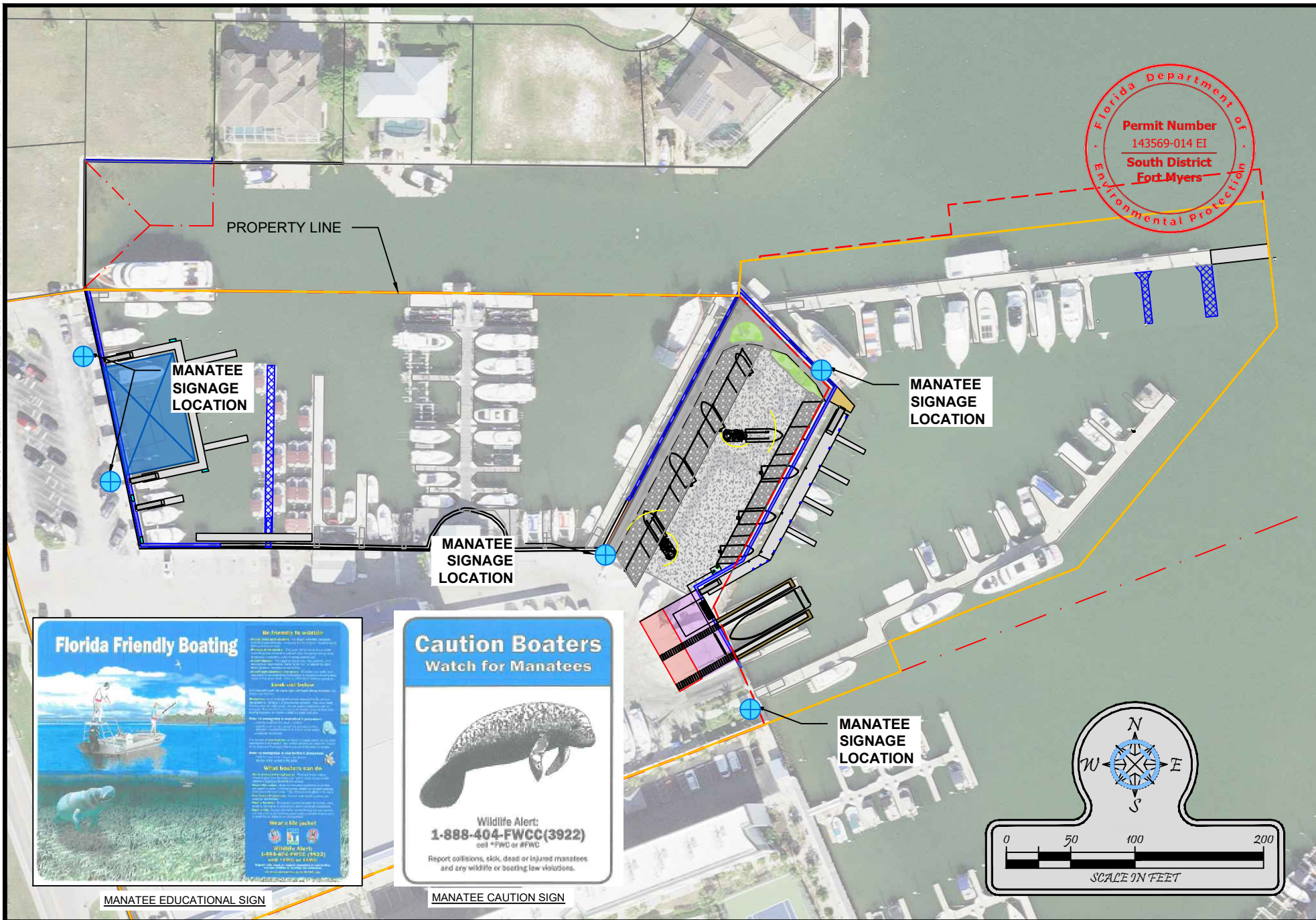
Fax: (239) 643-6632

ROSE MARINA

SUBMERGED RESOURCE SURVEY MAP

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-09-24	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	11 OF 13	4.	-	-	-	-
		5.	-	-	-	-
SECTION- 16		TOWNSHIP- 52S		RANGE- 26E		



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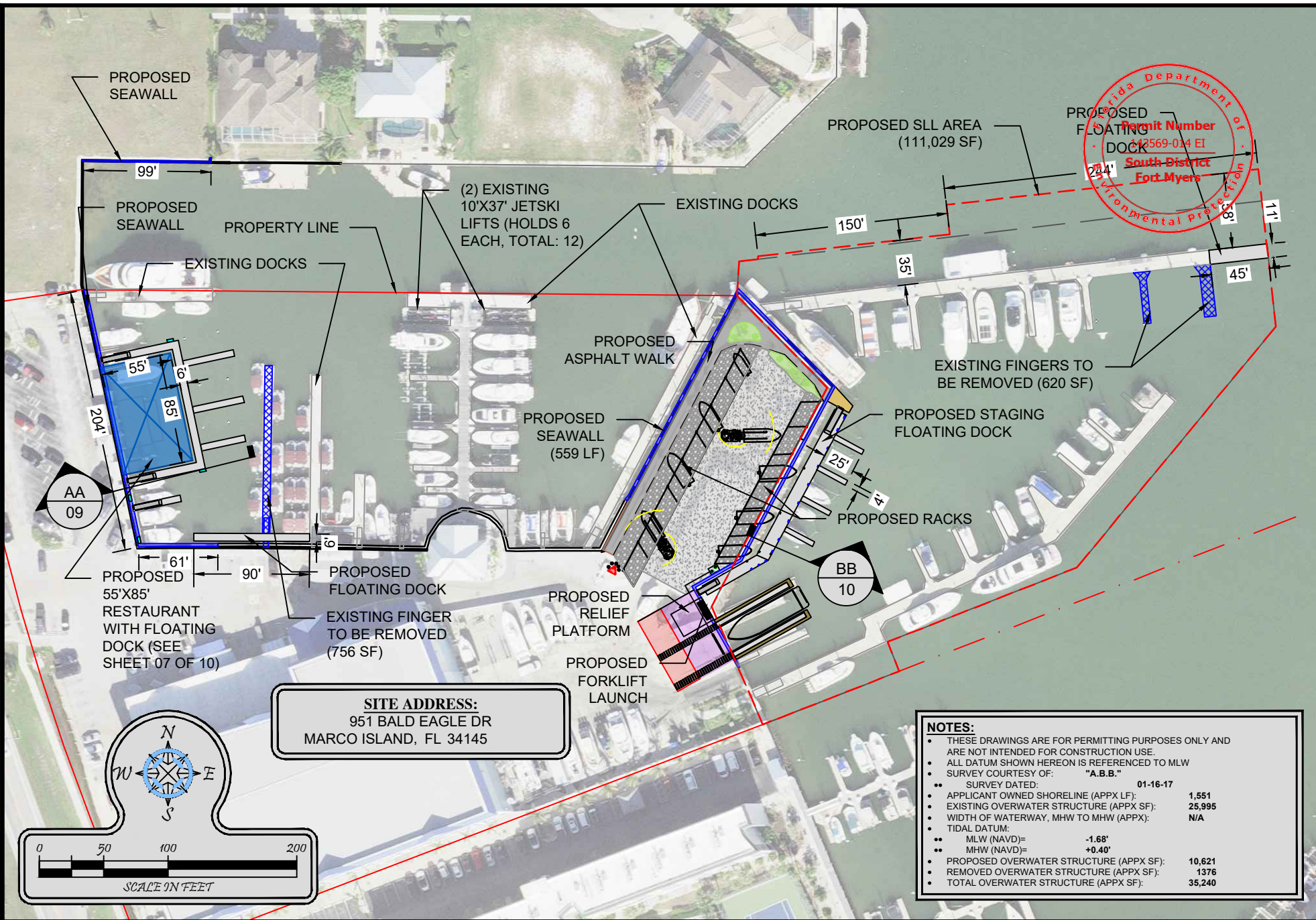
Fax: (239) 643-6632

ROSE MARINA

MANATEE SIGNAGE PLAN

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

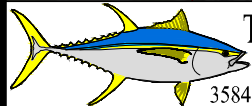
DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-09-24	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	12 OF 13	4.	-	-	-	-
		5.	-	-	-	-
SECTION- 16		TOWNSHIP- 52S		RANGE- 26E		



SITE ADDRESS:
951 BALD EAGLE DR
MARCO ISLAND, FL 34145

NOTES:

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- SURVEY COURTESY OF: "A.B.B."
- SURVEY DATED: 01-16-17
- APPLICANT OWNED SHORELINE (APPX LF): 1,551
- EXISTING OVERWATER STRUCTURE (APPX SF): 25,995
- WIDTH OF WATERWAY, MHW TO MHW (APPX): N/A
- TIDAL DATUM:
 - MLW (NAVD)= -1.68'
 - MHW (NAVD)= +0.40'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 10,621
- REMOVED OVERWATER STRUCTURE (APPX SF): 1376
- TOTAL OVERWATER STRUCTURE (APPX SF): 35,240



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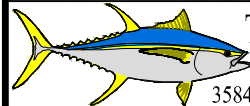
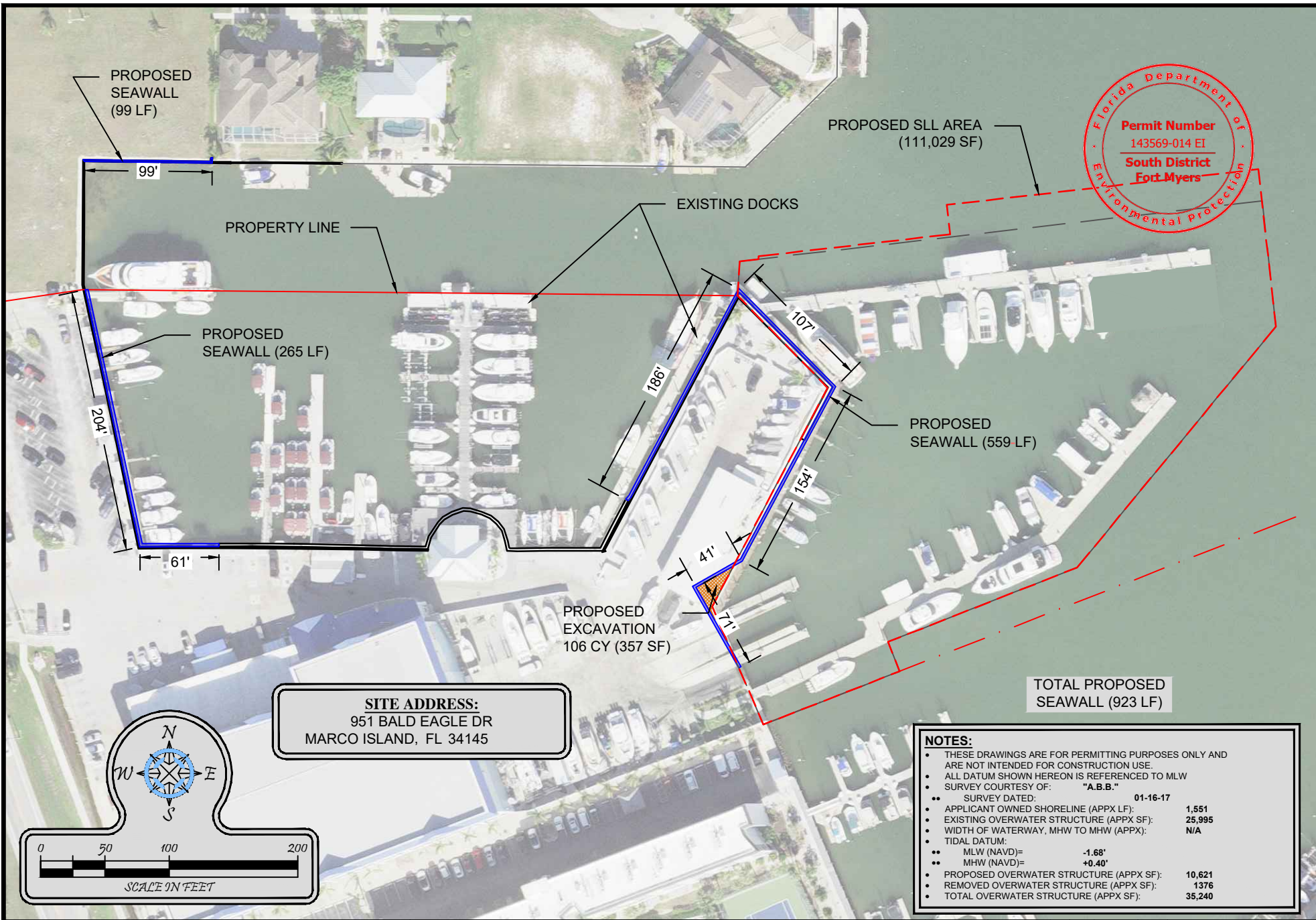
ROSE MARINA

PROPOSED SITE PLAN

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-25-23	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	03 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16 TOWNSHIP- 52S RANGE- 26E



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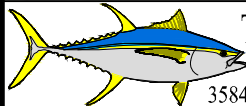
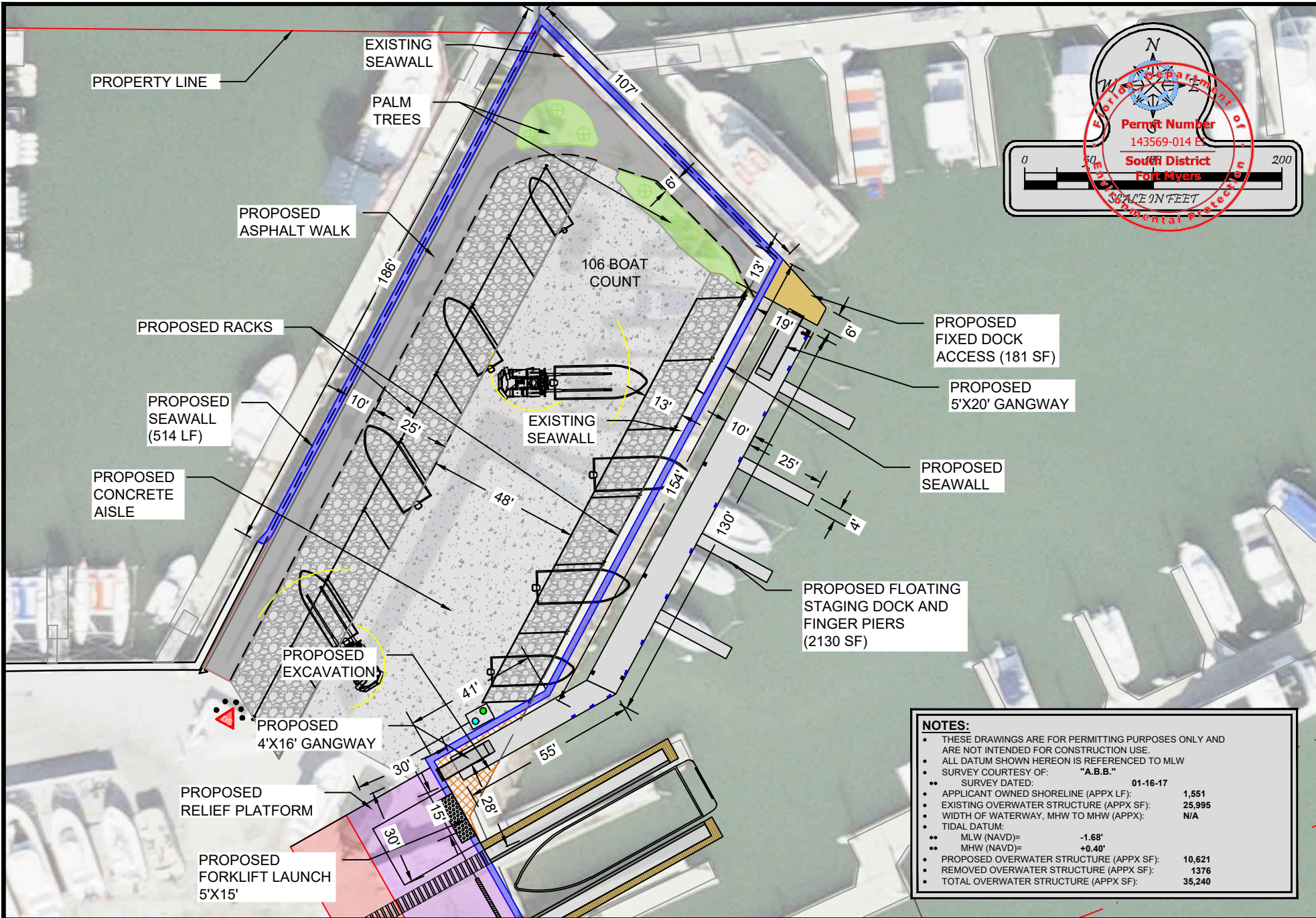
ROSE MARINA

PROPOSED SEAWALL

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-25-23	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	04 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16 TOWNSHIP- 52S RANGE- 26E



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ROSE MARINA

JETSKI, FLOATING DOCKS AND RACKS

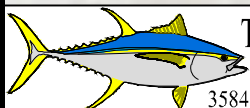
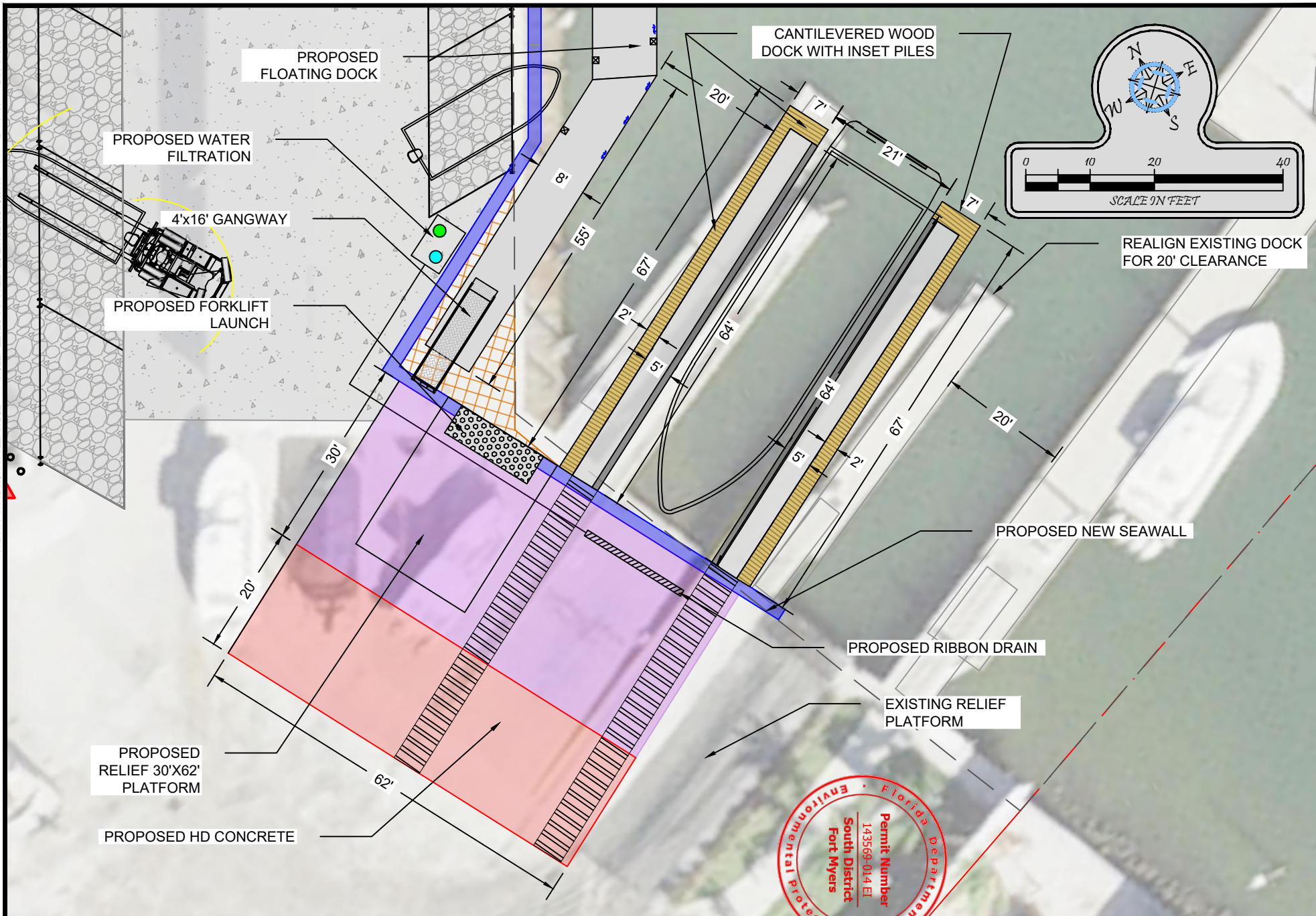
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-25-23	AP	ADDED FLOATING DOCK SLIPS
CREATED:	11-11-22	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	05 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16

TOWNSHIP- 52S

RANGE- 26E



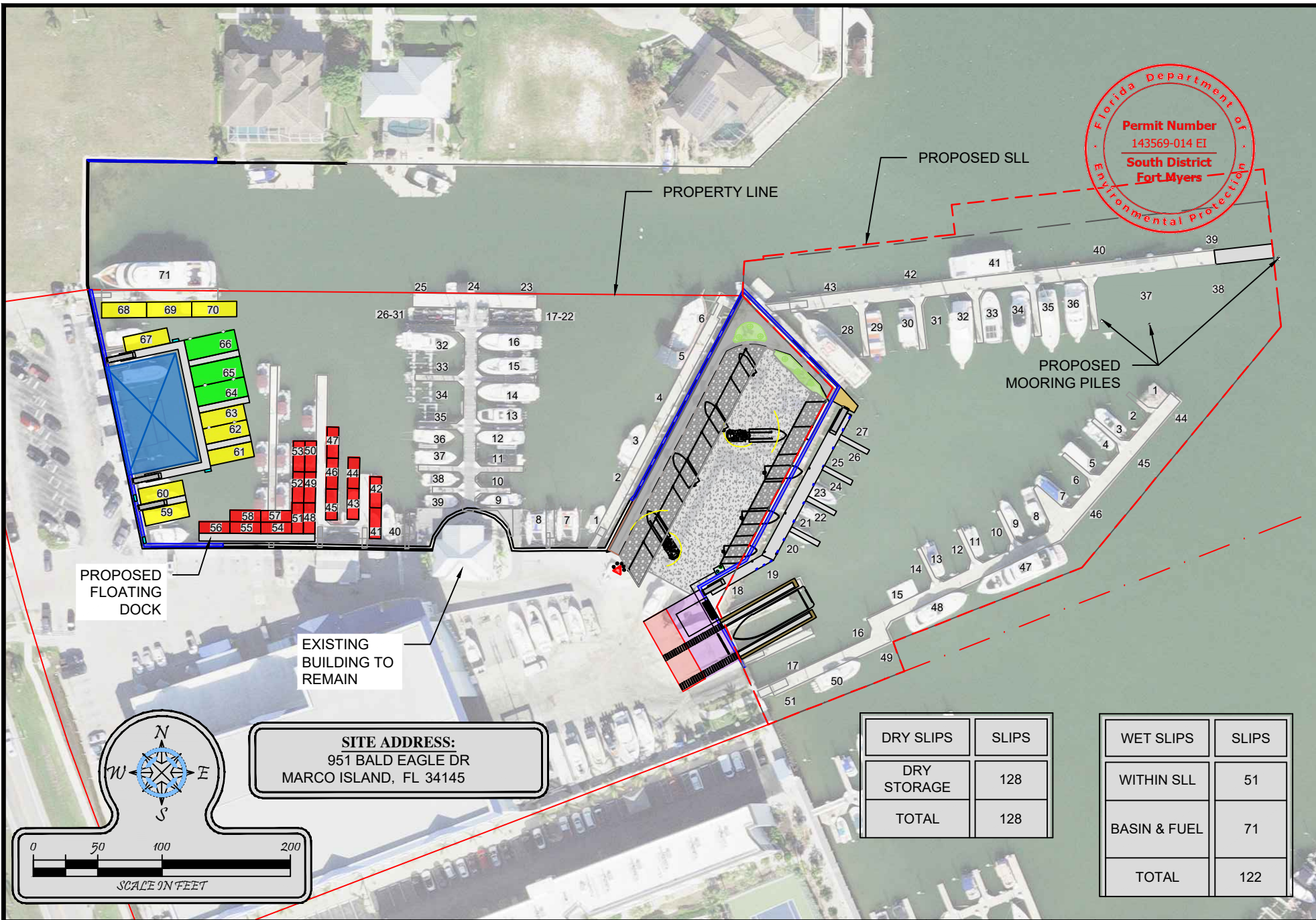
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Marine & Environmental Consulting
84 Exchange Ave. Naples, FL 34104-3732
Phone: (239) 643-0166 Fax: (239) 643-6632

ROSE MARINA

FORKLIFT LAUNCH PLAN

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE

DESIGNED:	AP	1.	RMJ	08-25-23	AKB	ADJUSTED DOCK AND LAUNCH DIMENSIONS
DRAWN BY:	RMJ	2.	-	-	-	
CREATED:	11-11-22	3.	-	-	-	
JOB NO.:	9812.9	4.	-	-	-	
SHEET NO.:	06 OF 13	5.	-	-	-	
SECTION - 16		TOWNSHIP - 52 S			RANGE - 26 E	



DRY SLIPS	SLIPS
DRY STORAGE	128
TOTAL	128

WET SLIPS	SLIPS
WITHIN SLL	51
BASIN & FUEL	71
TOTAL	122



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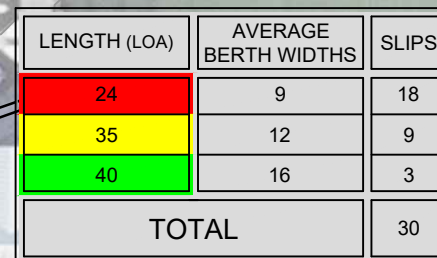
ROSE MARINA

PROPOSED SLIPS

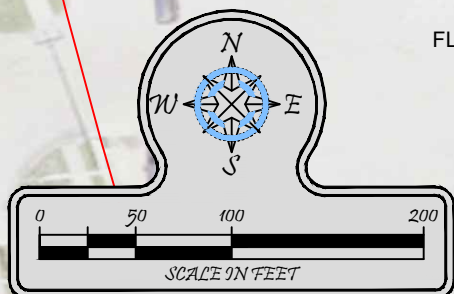
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-25-23	AP	ADDED SLIPS
CREATED:	11-11-22	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	07 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16 TOWNSHIP- 52S RANGE- 26E



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•	SURVEY COURTESY OF: "A.B.B."	
••	SURVEY DATED:	01-16-17
•	APPLICANT OWNED SHORELINE (APPX LF):	1,551
•	EXISTING OVERWATER STRUCTURE (APPX SF):	25,995
•	WIDTH OF WATERWAY, MHW TO MHW (APPX):	N/A
•	TIDAL DATUM:	
••	MLW (NAVD)=	-1.68'
••	MHW (NAVD)=	+0.40'
•	PROPOSED OVERWATER STRUCTURE (APPX SF):	10,621
•	REMOVED OVERWATER STRUCTURE (APPX SF):	1376
•	TOTAL OVERWATER STRUCTURE (APPX SF):	35,240



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MARCO ISLAND, FL 34145



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ROSE MARINA

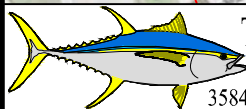
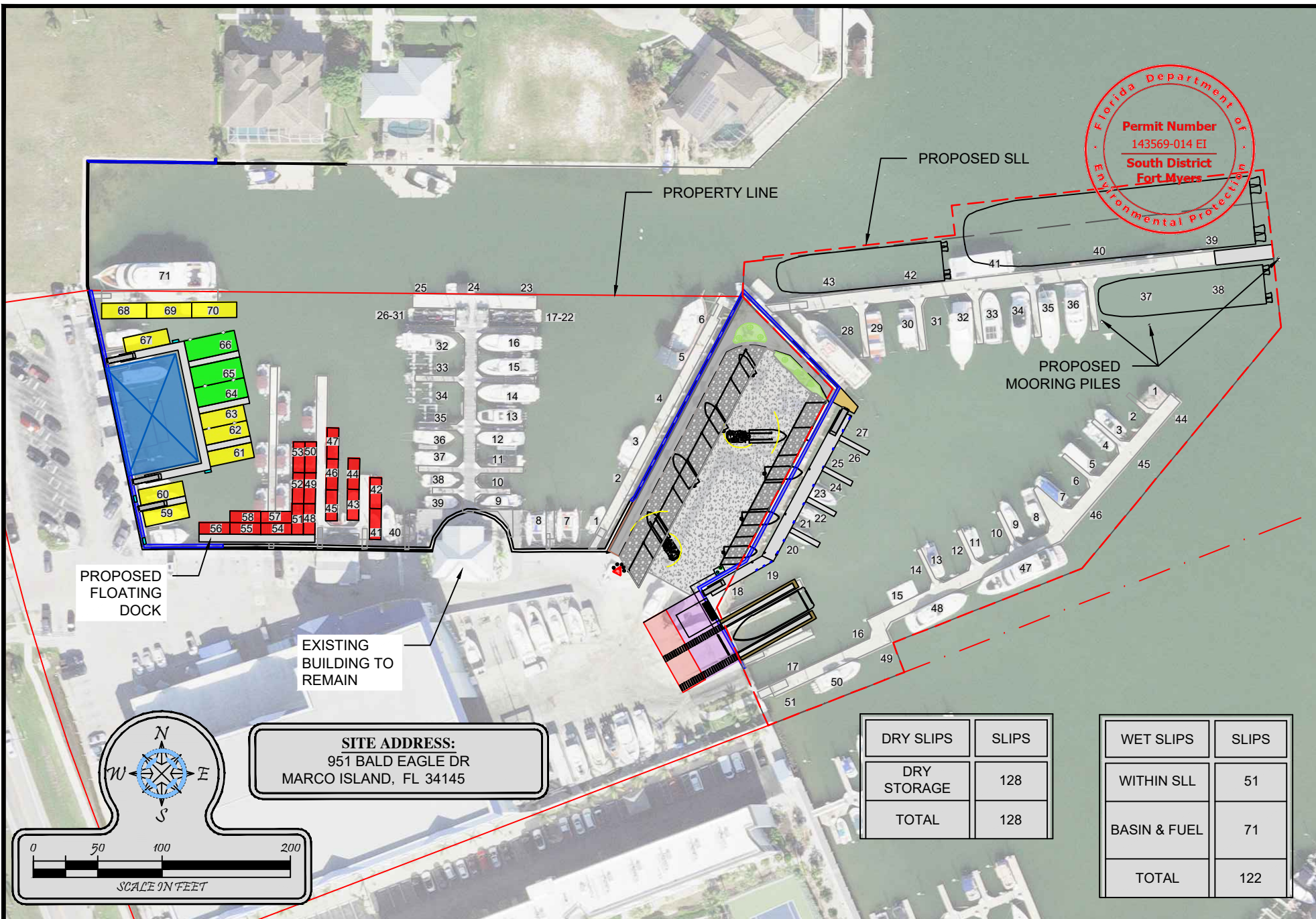
PROPOSED RESTAURANT SLIPS

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE

DESIGNED:	AP	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	08-25-23	3.	-	-	-	-
JOB NO.:	9812.9	4.	-	-	-	-
SHEET NO.:	08 OF 13	5.	-	-	-	-
SECTION- 16		TOWNSHIP- 52S			RANGE- 26E	

SECTION-16 TOWNSHIP-52S RANGE-26E

p:\9812.09 Rose Marina Permitting 2022\CAD\PERMIT\STATE\9812.9-STATE-JETSKI.dwg PROPOSED SLIPS WITH LARGER VESSELS 3/12/2024



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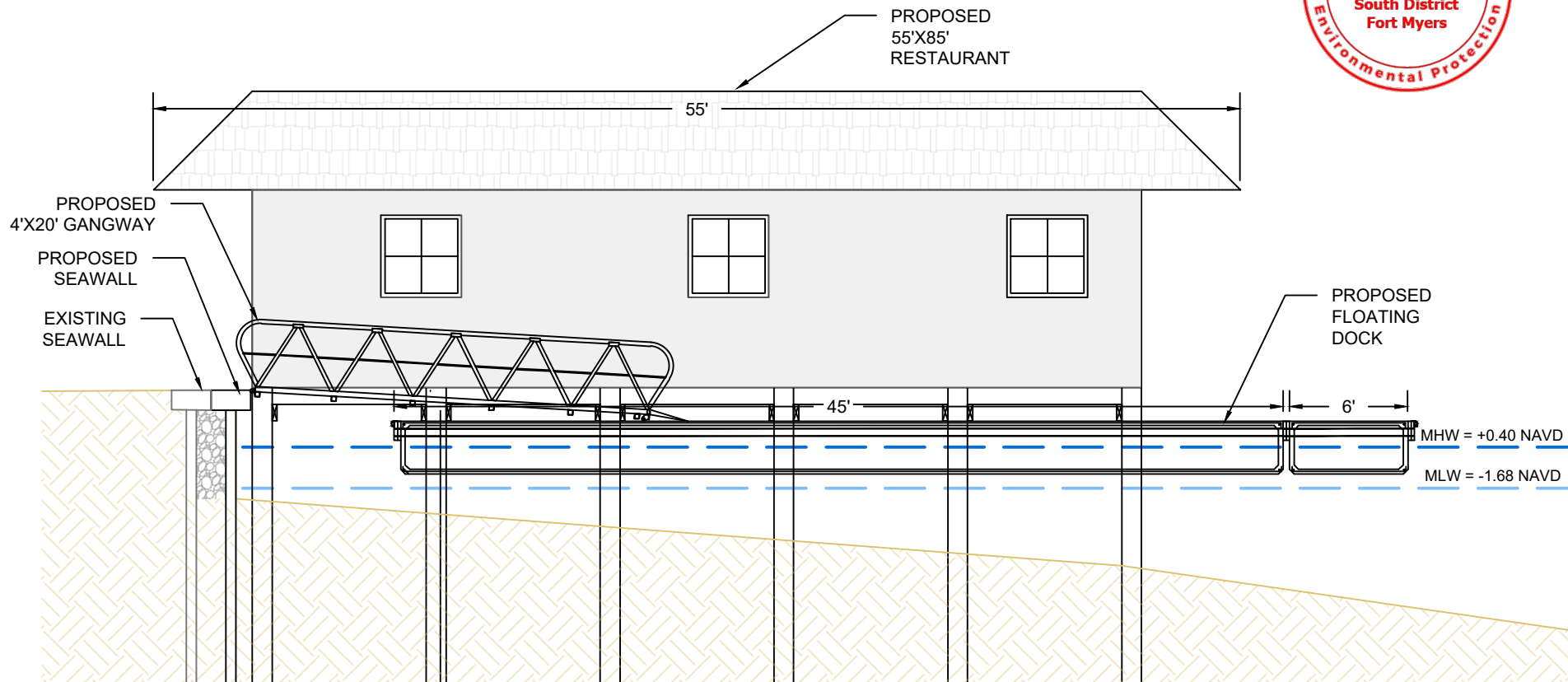
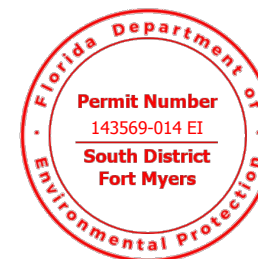
ROSE MARINA

PROPOSED SLIPS WITH LARGER VESSELS

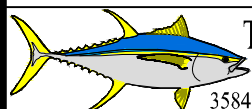
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	11-13-23	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	09 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16	TOWNSHIP- 52S	RANGE- 26E
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SECTION A-A
SCALE: 1" = 8'



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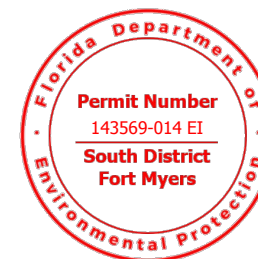
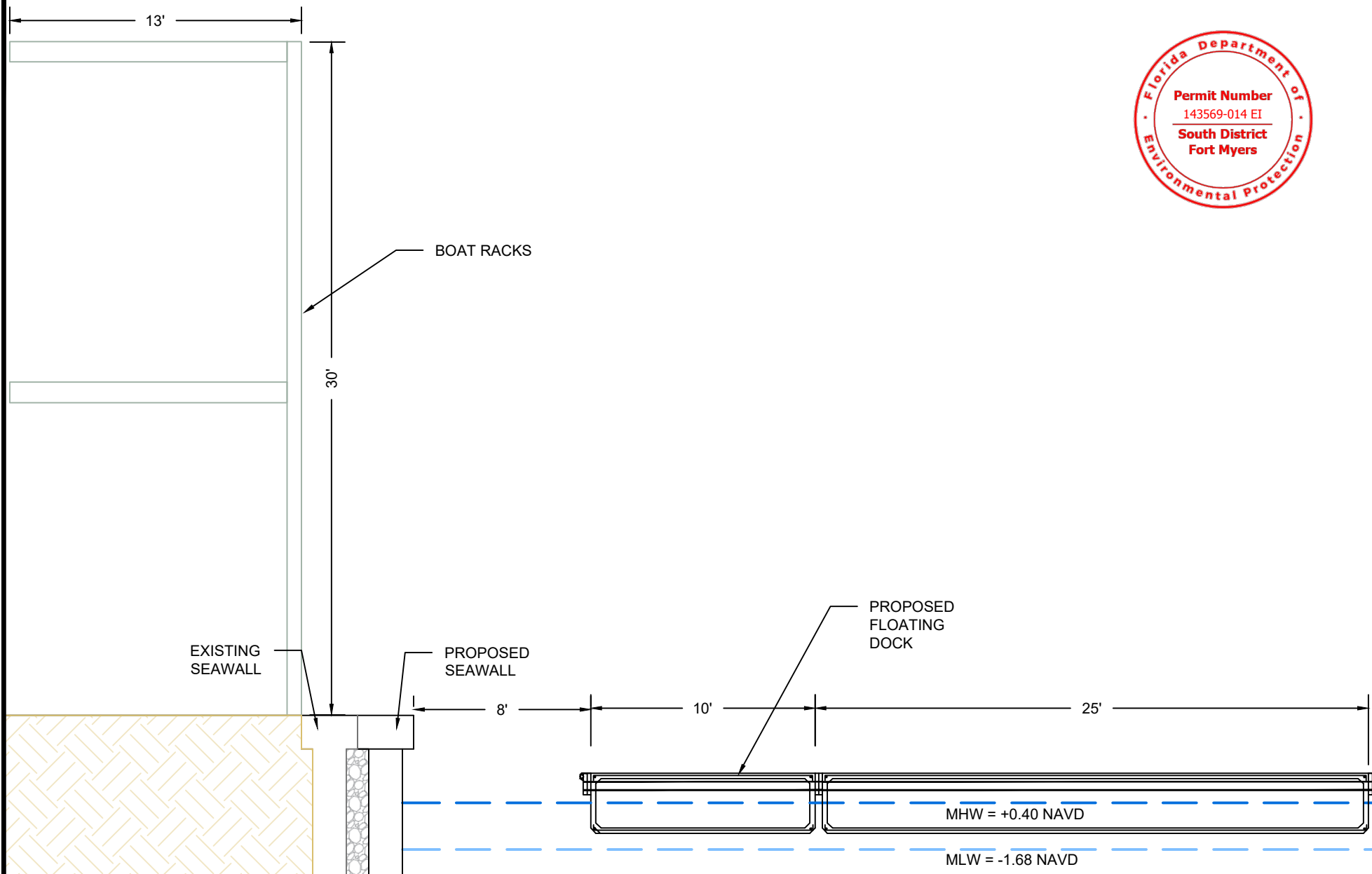
ROSE MARINA

CROSS SECTION AA

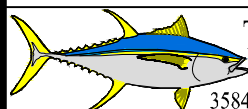
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

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SHEET NO.:	10 OF 13	4.	-	-	-	-
		5.	-	-	-	-
SECTION- 16		TOWNSHIP- 52S		RANGE- 26E		

p:\9812.09 Rose Marina Permitting 2022\CAD\PERMIT-STATE\9812.9-STATE-JETSKI.dwg CROSS SECTION BB 3/1/2024



SECTION B-B
SCALE: 1" = 6'



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732

Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

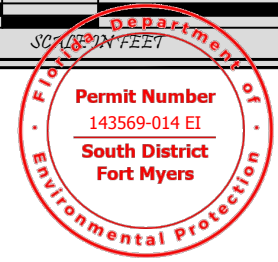
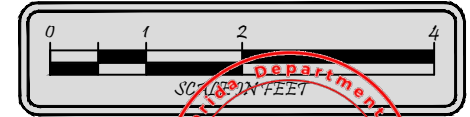
ROSE MARINA

CROSS SECTION BB

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

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CREATED:	11-11-22	2.	-	-	-	-
JOB NO.:	9812.9	3.	-	-	-	-
SHEET NO.:	11 OF 13	4.	-	-	-	-
		5.	-	-	-	-
SECTION- 16		TOWNSHIP- 52S		RANGE- 26E		

p:\9812.09 Rose Marina Permitting 2022\CAD\PERMIT-STATE\9812.9-STATE-JETSKI.dwg SBA0004L SECTION 3/12/2024



PROPOSED SEAWALL CAP
ELEV = +3.75' (NAVD88)

EXISTING
SEAWALL

PROPOSED
SEAWALL
PANEL

FILL VOID
WITH #57
STONE

18"

MHW = +0.40 NAVD

MLW = -1.68 NAVD



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3584 Exchange Ave. Naples, FL 34104-3732

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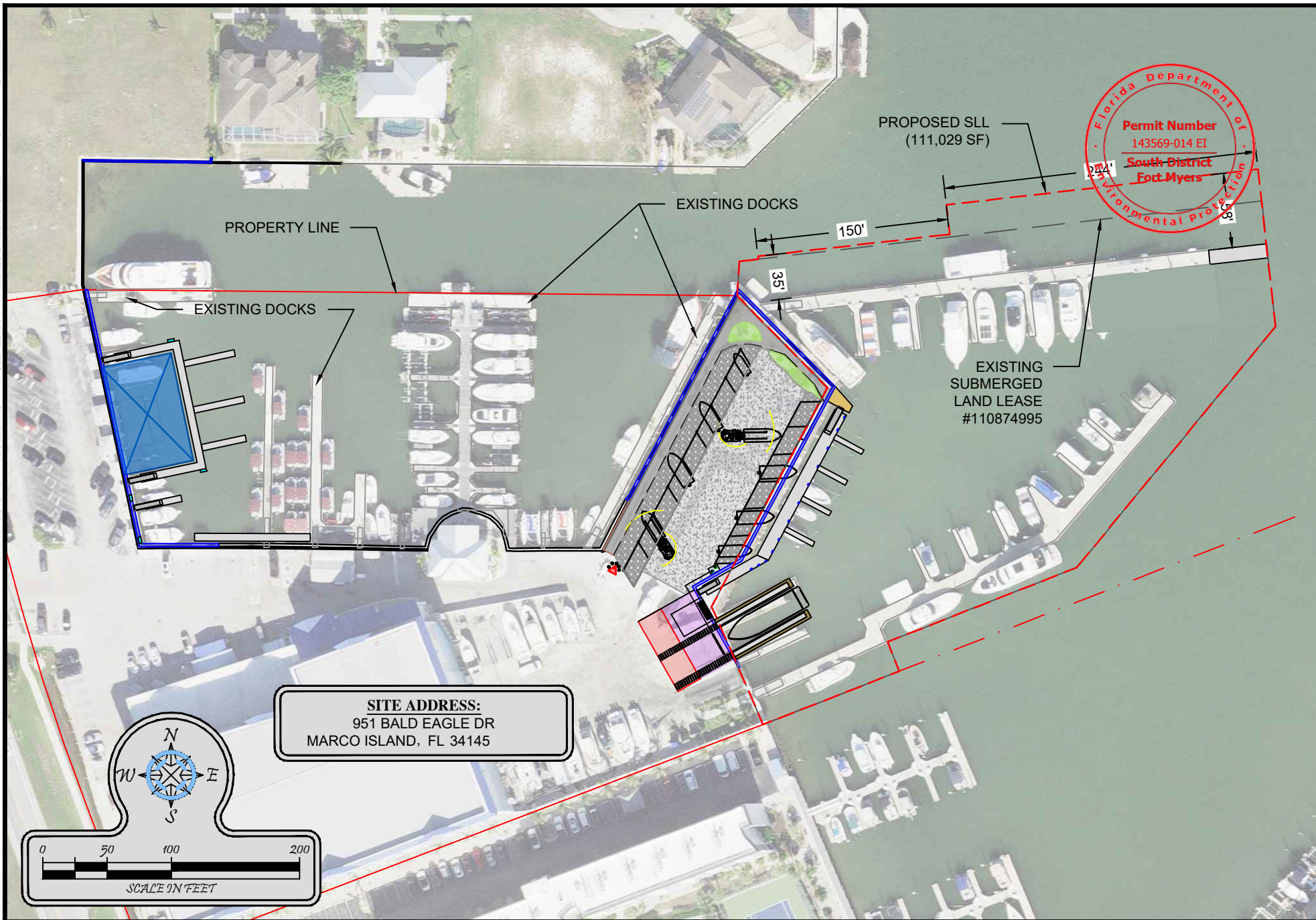
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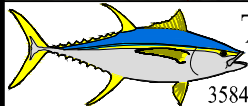
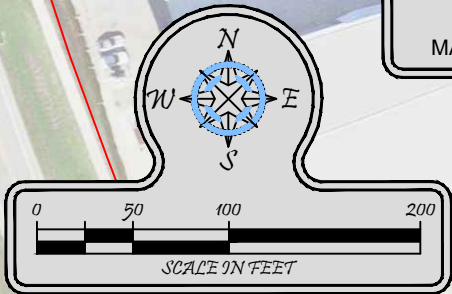
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SHEET NO.:	12 OF 13	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 16 TOWNSHIP- 52S RANGE- 26E

P:\9812.09 Rose Marina Permitting 2022\CAD\PERMIT-STATE\9812.9-STATE-JETSKI.dwg SUMBERGED LAND LEASE 3/12/2024



SITE ADDRESS:
951 BALD EAGLE DR
MARCO ISLAND, FL 34145



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732

Email: tuna@turrell-associates.com Phone: (239) 643-0166 Fax: (239) 643-6632

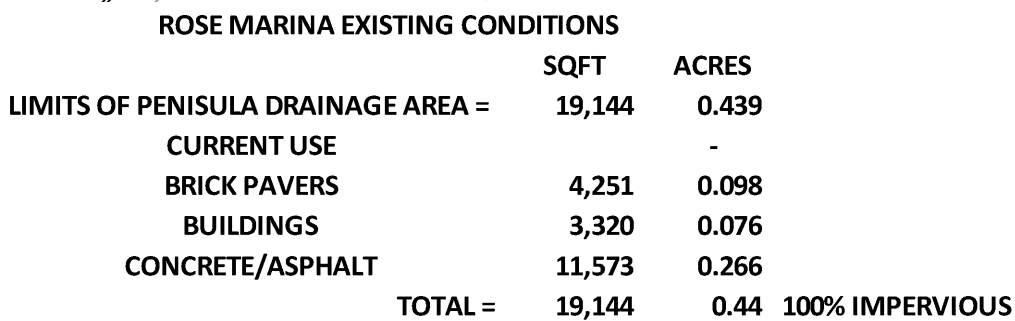
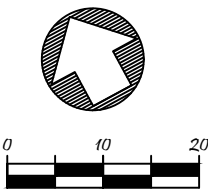
ROSE MARINA

SUMBERGED LAND LEASE

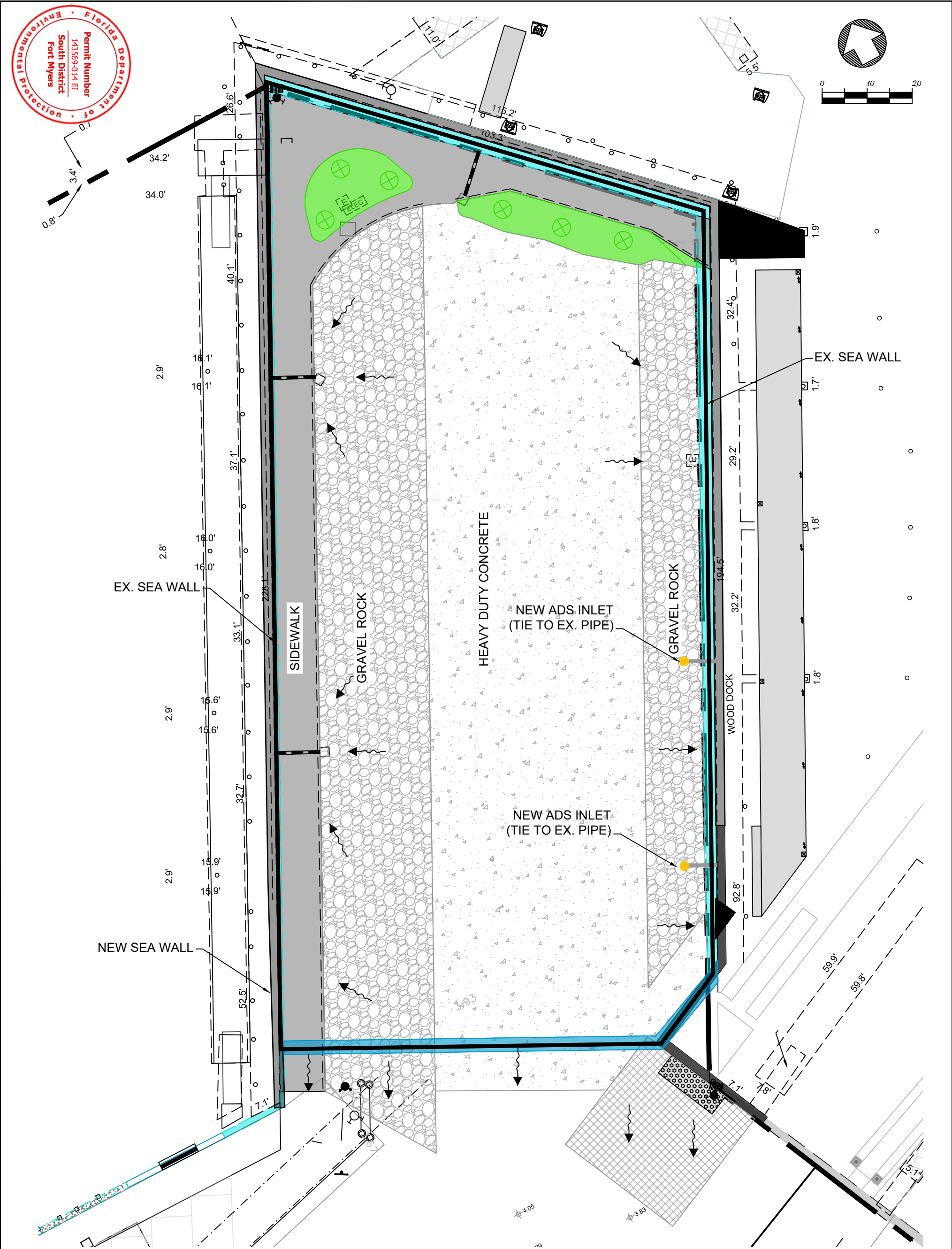
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SHEET NO.:	13 OF 13	4.	-	-	-	-
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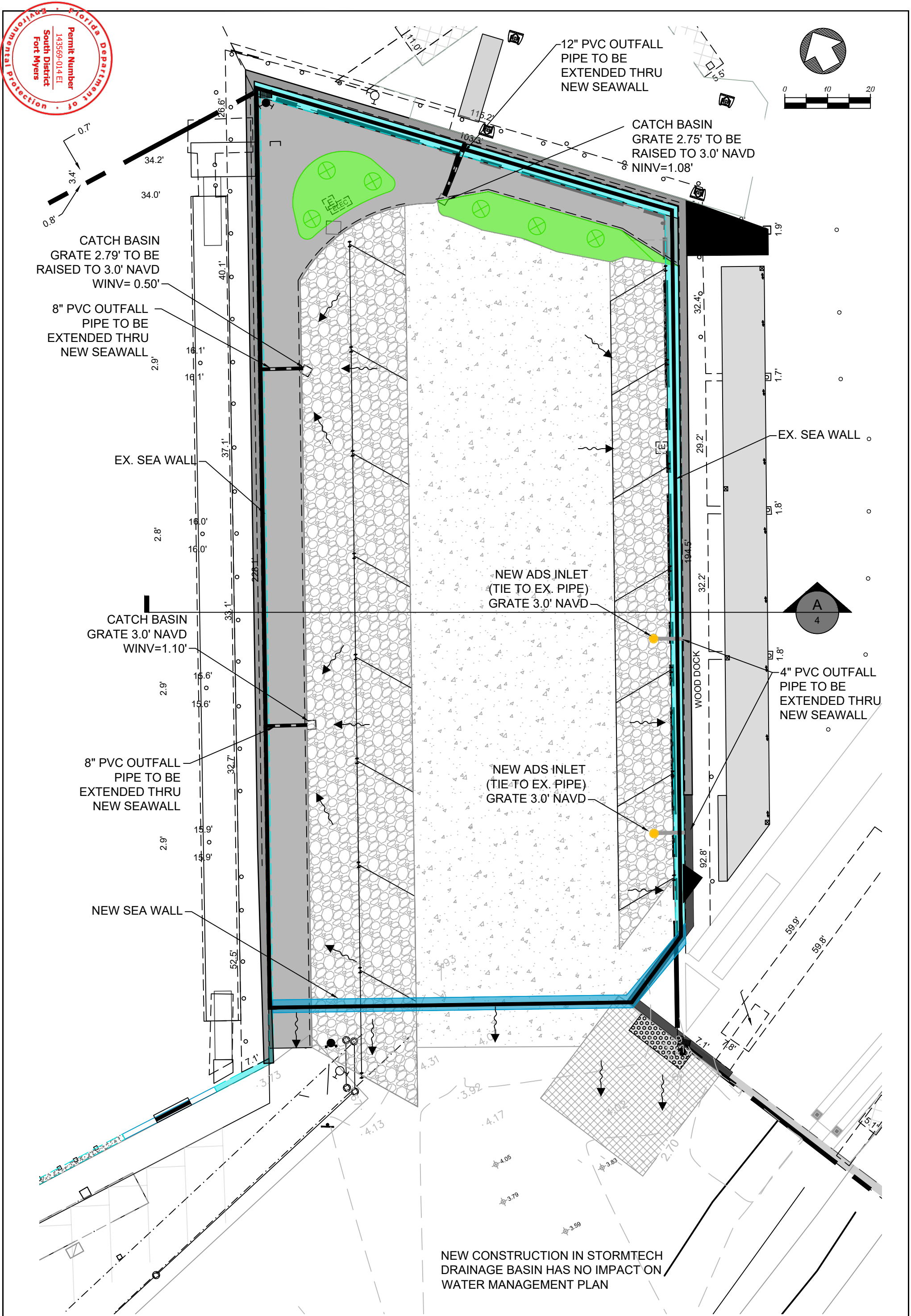
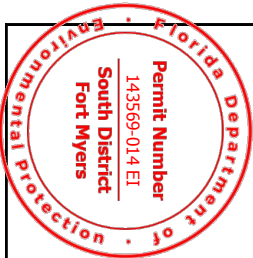
SECTION- 16 TOWNSHIP- 52S RANGE- 26E

[illegible]

DATE 11/01/22	PROJECT NO. Rose_Mar	SCALE As Shown	SHEET 1 OF 5
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PROPOSED USE (INSIDE BLUE)			
OPEN SPACE	657	0.02	
CONCRETE HEAVY DUTY	8,736	0.20	
CONCRETE SIDEWALK	3,023	0.07	58% PERVIOUS
GRAVEL BED (BOAT RACKS)	6,417	0.15	42% IMPERVIOUS
NEW SEAWALL	311	0.01	
TOTAL =	19,144	0.44	



RM_DEP STE 1122.dwg, Nov 10, 2022, 10:02am

REVISIONS		

ROSE MARINA
COLLIER COUNTY, FL

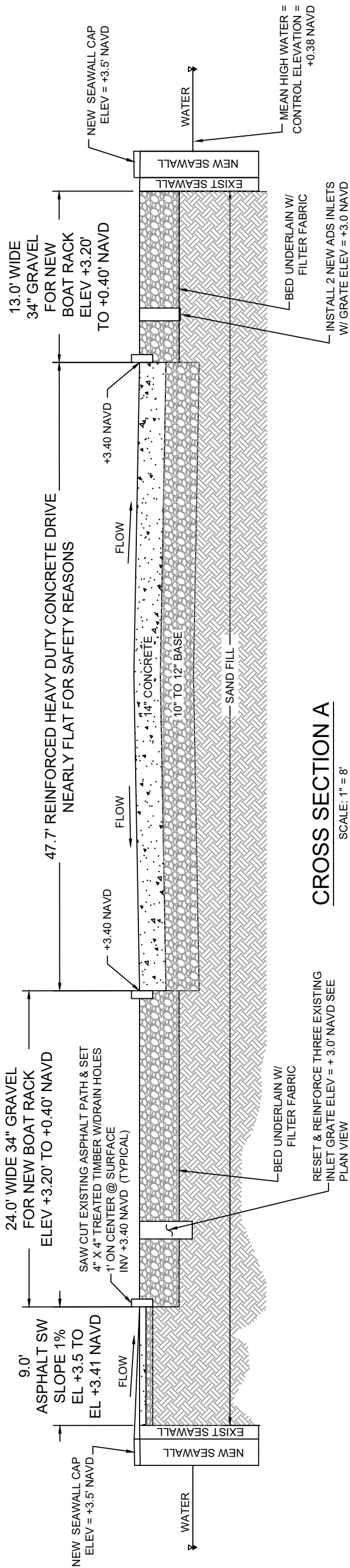


HAGAN
ENGINEERING

1250 TAMiami TRAIL NORTH, STE. 203B
Naples, Florida 34102
Phone (239) 851-8239

LIMITS OF CONSTRUCTION
PROPOSED GRADING PLAN

DATE	PROJECT NO.	SCALE	SHEET
11/01/22	Rose_Mar	As Shown	3 OF 5



CROSS SECTION A
SCALE: 1" = 8'

RM_DEP STE 1122.dwg, Nov 10, 2022, 10:02am

REVISIONS		

ROSE MARINA
COLLIER COUNTY, FL

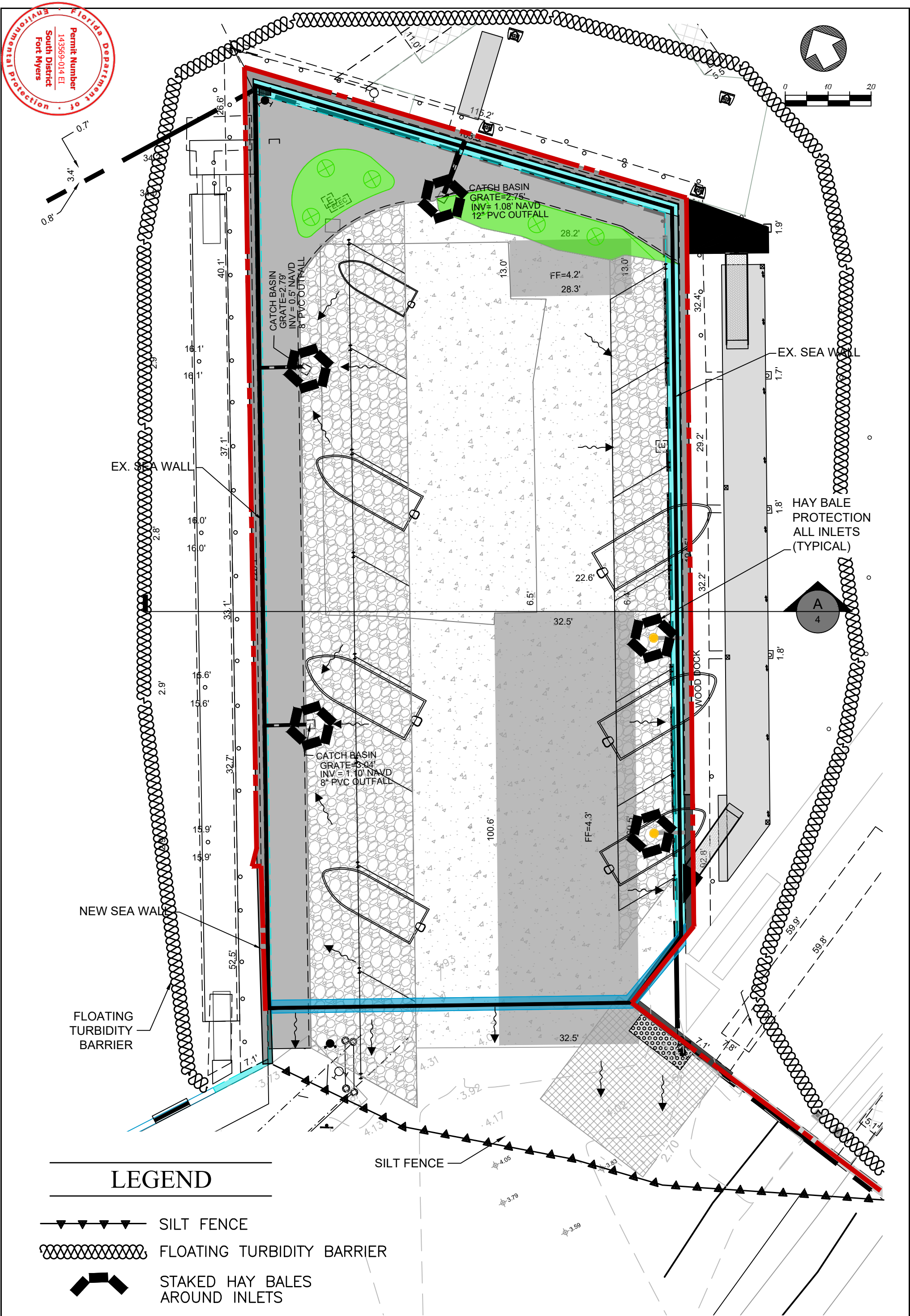
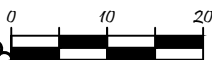


HAGAN
ENGINEERING

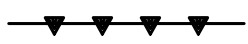
1250 TAMiami TRAIL NORTH, STE. 203B
Naples, Florida 34102
Phone (239) 851-8239

PROPOSED CROSS
SECTION A

DATE	PROJECT NO.	SCALE	SHEET
11/01/22	Rose_Mar	As Shown	4 OF 5



LEGEND

-  SILT FENCE
-  FLOATING TURBIDITY BARRIER
-  STAKED HAY BALES AROUND INLETS

RM_DEP STE 1122.dwg, Nov 10, 2022, 10:02am

REVISIONS

NO.	DESCRIPTION	DATE

ROSE MARINA
COLLIER COUNTY, FL



1250 TAMiami TRAIL NORTH, STE. 203B
Naples, Florida 34102
Phone (239) 851-8239

EROSION CONTROL PLAN

DATE	PROJECT NO.	SCALE	SHEET
11/01/22	Rose_Mar	As Shown	5 OF 5

ROSE MARINA

MARINA OPERATIONS AND MANAGEMENT PLAN

MARCH 2022
REVISED OCTOBER 2024

PREPARED BY:

TURRELL, HALL &
ASSOCIATES, INC. 
Marine & Environmental Consulting

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1 INTRODUCTION

This Marina Operations and Management Plan (MOMP) has been written to support Rose Marina during daily operations. This MOMP is a living document and as such, materials within it will change as the needs of the marina, the public and the regulatory entities evolve. The MOMP will be updated as needed to reflect any changes to the regulatory rules, procedures, or requirements of the Sovereign Submerged Land Lease (SSL). The Florida Department of Environmental Protection (FDEP) will be provided a copy of the updated MOMP with any revisions highlighted for approval and implementation. Annual employee training will highlight these changes for marina staff should they occur.

2 FACILITY INFORMATION

Facility Name	Rose Marina
Dockmaster	Dan High
Physical Address	951 Bald Eagle Drive Marco Island, FL 34145
Mailing Address	Same
Phone Number	239-394-2502
E-mail Address	dhigh@rosemarina.com

2.1 Navigational Information

Latitude: 25° 57' 43.72"	Longitude: 81° 43' 38.34"	NOAA CHART # 11429
Reported Depth (MLW)	Approach: Approx. -9 ft MLW	Dockside: Average -5 MLW
Tidal Range	Local Knowledge	

2.2 Marina Facilities

Total # of Slips	# of Slips on Sovereignty Submerged Lands	# of Slips on Private Submerged Lands	# of Slips Open to the Public	# of Liveaboard Slips	Dry Storage Slips (Indoor)	Dry Storage (Outdoor)
394	51	71	394	0	144	128

Dock Type	Fixed wooden and floating concrete
Sewage Pump-out	Yes
Number of Slips Hard-piped for Sewage	0
Dockside Power	30 AMP/50 AMP/100 AMP

Shore-side facilities	Heads	Showers	Sinks
Number	3	1	3
Male/Female	3	1	3
Public Facilities	3	1	3

2.3 Emergency Contacts

Police Contact Number	911
US Coast Guard Contact Number	(239) 394-5911
Fire Station Contact Number	911
Oil Spill Report Number	1-800-424-8802
Spill Response Number	(813) 626-6533
Towing Service	VHF Channel 16

2.4 Site Plan

There is a site plan of the marina available in Exhibit A of this MOMP

2.5 Marina Background

The following information regarding the facility is located at the Dockmaster's office and is available to research maintenance and legal issues.

2.5.1 Relevant Documents Pertaining to the Marina

Regulatory Authorizations:

0143569-009 - Stormwater Permit

0143569-011 - Marina Permit

Sovereignty Submerged Land Lease:

Sovereign Submerged Land Lease Number - 110874995

2.6 Submissions

Any and all submission or supplemental information required by this document shall be submitted to the FDEP's South District Office, SLERC Section, P.O. Box 2549, Fort Myers, Florida 33902-2549, or FTM_Compliance@dep.state.fl.us.

3 EMPLOYEE TRAINING

This MOMP, all attachments and exhibits (collectively referred to as “Plan”) serves as the employee educational text.

In order to implement an effective Plan at the marina, an education program involving a series of strategies and actions has been developed. This program will be taught by the Dockmaster and involves employees and members of the Marina with a focus on their role in the long-term safe and environmentally friendly operation of the Marina. This continuing program is implemented in the form of an employee education program. The Marina conducts semi-annual workshops for employees regarding implementation, compliance, and monitoring of the Plan. The workshop tailors the education program to include methods and procedures for executing the best management practices (BMP’s) listed in the Plan. In addition, the employee handbook outlines the employee’s duty to comply with all of the provisions of the Plan. Each specific task will be reviewed in depth as a hands-on training method and be practiced by all employees. All of the marina employees will be involved with practicing all of the methods and procedures on a daily basis. Each employee will be responsible for completing their particular checklist to ensure all operational maintenance is up to standard. The Dockmaster will be responsible for reviewing the operational and maintenance checklist and making sure all procedures are up to code.

The topics discussed during the workshop will include the following:

- An overview of the FDEP, U.S. Army Corps of Engineers (USACE) and all other applicable agencies permit conditions, sovereignty submerged land lease conditions and regulations governing water quality and habitat protection in the marina facility and surrounding area.
- An explanation of the potential sources of contaminants from vehicular traffic, boat traffic, boat maintenance, and cleaning and how they affect water quality.
- A synopsis for a battery recycling program, to include designated areas for disposal and proper techniques regarding handling of batteries over the water surface and the docks. All batteries shall be taken off the marina property by the vessel owner or contractor to be disposed of in an appropriate manner.
- Proper fueling procedures, training methods, and inspection logs.
- Proper sewage pump-out procedures, training methods, and inspection logs.

Training methods shall include, but not be limited to:

- Providing all employees with a complete copy of this Plan.
- PowerPoint presentation/additional handouts.
- Lecture by the Dockmaster or person responsible for ensuring compliance.

Initial employee training shall occur as a group event. New hire employee training shall occur in a group or one on one depending on the number of new hires. Supplemental training sessions shall occur as a group event annually. The attached training log shall be used for each training

event and submitted to the FDEP's South District Office (as listed above) as part of the Self-Monitoring Certification submission described later in the Plan.

4 COMPLIANCE WITH ALL DEPARTMENT REQUIREMENTS

Sovereignty Submerged Land Lease No. 110874995 ("Lease") or a copy thereof, complete with all conditions, attachments, exhibits, and modifications is attached to this Plan. This Plan shall be available for review at the facility upon request by FDEP staff. The facility requires any contractor, representatives or employees to review the complete Plan prior to commencement of activities authorized by the Lease.

The facility must be in compliance with all issues and regulations found in all permits issued by the FDEP and the USACE. Please refer to these documents for specific rules and regulations.

Any changes to the Plan must be submitted to the FDEP for review and approval.

Activities approved by the Lease and FDEP permits shall be conducted in a manner which does not cause violations of the state water quality standards. The facility shall implement best management practices for erosion and turbidity control to prevent violations of state water quality standards and impacts to wetlands and surface waters.

Should any other regulatory agency require changes to the Plan, the facility shall notify the FDEP in writing of the changes prior to the implementation so that a determination can be made whether a Lease modification is required.

This Plan does not eliminate the necessity to obtain any required federal, state, local, and special District authorizations prior to the start of any activity approved by the Lease.

The Lease does not convey to the facility, or create in the facility, any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the facility or convey any rights or privileges other than those specified in the Lease or permit.

The facility shall hold and save the FDEP harmless from any damages, claims, or liabilities which may arise by reason of the ordered activities authorized by the Lease.

If historical or archaeological artifacts are discovered at any time on the project site, the facility shall immediately notify the FDEP.

The facility shall immediately notify the FDEP in writing of any previously submitted information that is later discovered inaccurate.

5 ENVIRONMENTAL GUIDELINES

All self-employed boat workers and independent contractors must register to receive approval by the Dockmaster before beginning any work at the facility or within the Lease area. All subcontractors must comply with these environmental best management practices, all FDEP authorizations, and all other federal, state, and local requirements. The facility encourages all contractors to review a copy of the Best Management Practices (BMP's) which can be found at <http://www.floridacleanmarina.org>.

The facility encourages all vessel owners to adhere to the following BMP's. Additional resources can be found at the website referenced above.

5.1 Fueling Practices

Fueling facilities at this facility are located within the man-made basin at the terminus of the large T-dock. Fueling is not authorized within the Lease area but is authorized at the facility by permit #11-0143569-001. Fuel is available during business hours of the marina.

Materials for safe fueling:

- Emergency shut off valves are located at each pump.
- Fuel absorbent pads are found at all fueling stations.
- Marked funnels for oil and gas can be found in the fueling area.
- Rags for small spills with a dedicated fireproof rag container.
- Tray available to go underneath portable fuel containers.
- Fire extinguishers are available at the fueling location.
- Fuel dispensers are equipped with back pressure shut off valves.

Signs in the fueling area:

- Smoking is prohibited.
- Please be sure vessel is securely moored prior to fueling activities.
- Engines must be off prior to fueling.
- Please avoid overfilling of tanks, spills are dangerous to you and the environment.
- All portable fuel tanks will be removed from the vessel and filled on the docks in a fueling tray.
- An Emergency Shut-off Switch for the gasoline dispenser is located in close proximity to the pumps.
- Please inform Marina Staff in the event of a spill, no matter how small.
- This Marina encourages you to off-load all passengers prior to fueling.
- Please be sure to use proper oil to gas ratio, it saves your motor and the environment.
- If fueling an inboard engine open the hatches and turn on the blower for five minutes. If you smell gas fumes in the bilge, be smart, don't start!
- Fuel and oil funnels are available for your convenience.
- Please place all empty oil receptacles in the marked container.

Employee Responsibilities:

- Prior to daily fueling activities:
 - Ensure the fueling area is free of debris and obstructions and that the safe fueling materials listed above are in place.
 - Visually inspect hoses and supply lines for wear and damage.
 - Unlock fueling station.
 - Inspect fuel dispenser trays for signs of fuel leaks. The dispenser tray is the drain location for any failures in the fuel line upstream. If you notice fuel collecting in the tray please notify management. Fixing the problem immediately can save the marina large costs associated with lost fuel and spill clean-up.
 - Inspect fuel dispenser trays for water. If water is present, use a hand pump to remove water to the five-gallon bilge water container. Empty the five-gallon bilge water container into the bilge water receptacle located in the uplands.
- Special Diesel Fueling Instructions:
 - The diesel fueling hose shall be retracted to the diesel dispenser after each fueling activity occurs. The nozzle shall be placed upright in the fuel dispenser.
 - Emergency shut-off switches are located as follows: one located out on the dock and one by the building.
- Post daily fueling activities:
 - Secure and lock the fuel dispensing nozzles.
 - Using the five-gallon container marked for used oil containers, carry empty containers to the used oil receptacle in the uplands. Drain all oil and place empty containers in waste receptacle.
 - Using fireproof container marked for soiled rags, carry soiled rags to the soiled rag receptacle located in the uplands for cleaning service.
 - Using the fireproof container marked for used fuel and oil absorbent pads, carry and dispose of soaked pads to the used fuel and oil absorbent bad container located in the uplands.

5.2 Containment of Discharges

In the case of a spill or discharge of hazardous substance, this facility is a certified member of the Ostego Bay Oil Spill Co-op, which is a first response spill co-op.

Additionally, for containment or absorption of fuel spills absorbent pads and floating booms are located in a dock box adjacent to the fuel pump.

Spill control materials:

- A large spill control kit can be found in the upland building adjacent to the fuel pumps. A small spill kit for smaller upland spills, can be found within the dry storage unit.
- The Kit includes: a spill containment boom, fuel absorbent materials, and containment bags.

Spill control procedures:

- Spills, no matter how small, need to be cleaned up properly.
- Smaller spills should be cleaned with designated rags and placed in a portable fireproof container. They should then be placed in the soiled rag receptacle located in the uplands to be cleaned by an industrial contractor.

5.3 Liquid Waste Disposal

5.3.1 Used Oil

Used oil discharges to the water can degrade water quality and threaten aquatic plant and animal life. Used oil discharges on the ground will require clean up and may incur penalties.

All hazardous waste is to be disposed of with a licensed hazardous waste disposal company.

Disposal documentation for each waste type as described below will be maintained for a minimum of three years.

All waste shall be disposed of in accordance with current FDEP Rules and Regulations.

Materials for used oil management:

- Lidded container for transporting used filters and waste
- Funnel for hot draining.
- Used oil-recycling container.
- Oil container kept on lipped tray.

Signs for used oil recycling:

Signs for marina/boatyard staff and boat owners advising of the prohibition on disposal of used oil and provide directions for the proper collection and management of the used oil will be posted at the facility.

Used Oil Management Procedures:

- Clearly marked oil recycling (used oil) container area is located in service area.
- The recycling containers are to be kept on lipped trays to contain any spills.
- Used oil or diesel fuel filters are to be hot-drained by placing the filter in a funnel over the appropriate labeled waste collection container to allow the excess petroleum product to drain into the container. Drained filters are collected and recycled.
- A contracted used oil hauler removes used oil and used oil filters off-site for recycling. Records of used oil recycling will be maintained at the facility.

5.3.2 Used Antifreeze

Antifreeze (ethylene glycol) is toxic to animals, humans and aquatic life. When antifreeze is improperly discarded onto the ground or allowed to flow into storm drains or off paved areas into the ground it eventually runs-off to the waterways.

Materials for used antifreeze management:

- Clearly marked 5-gallon container with lid for transporting used coolant waste.
- Funnel for draining.
- Used coolant container.
- Coolant container kept on lipped tray.

Signs for antifreeze recycling:

Signs for marina/boatyard staff and boat owners advising of the prohibition on disposal of used antifreeze and provide directions for the proper collection and management of the used antifreeze will be posted at the facility.

Used antifreeze management:

- A clearly marked antifreeze recycling bin (used antifreeze) container is located in service area.
- The recycling containers are kept in a covered location on lipped trays to contain any spills.
- A contracted used antifreeze hauler removes used antifreeze off-site for recycling. Records of used antifreeze recycling will be maintained at the facility.
- Dedicated antifreeze collection equipment will be used. This includes collection funnels, transfer pans or buckets and storage containers.

5.3.3 Bilge Water

Oil and greases from the operation and maintenance of inboard engines are sources of petroleum in bilges. Discharged bilge water is a source of pollution in marinas.

Materials for waste bilge water:

- A clearly marked bilge water waste container can be found in service area.
- A clearly marked five-gallon container with lid for transporting bilge water and fuel soaked absorbent pads to waste container.
- Fuel absorbent pads for soaking up fuel/bilge water.

Signs for bilge water management:

- Signs notifying boat owners of the facility's prohibition of contaminated bilge water discharge shall be clearly visible at the facility.

- The signs shall encourage owners/operators to use absorbent pads to remove petroleum contamination and to be aware of how fuel saturated absorbent pads are stored on-site to avoid fire. These absorbent pads are available at the Marina Store.

Bilge water procedure:

- Rose Marina prohibits the discharge of bilge water materials.
- If a client has absorbent pads that have been used to soak up bilge water, procure the pads from the client and place in the marked five-gallon container.
- Transport materials to the bilge water waste container in the service area.
- A contracted used oil hauler removes used bilge water waste off-site for recycling. Records of bilge water recycling will be maintained by the facility.

5.3.4 Engine Repair and Maintenance

Engine service and repair operations generate waste, which handled incorrectly, can cause human hazards, endanger the environment and be costly to cleanup.

Materials for management of engine repair and maintenance waste:

- Spill containment kit for large spills.
- Clean rags for small clean up.
- Dedicated parts washing station.

Procedures for parts washing:

- A spill containment kit is to be kept in the shop at all times. Please notify management if a spill occurs.
- Parts washing is to occur only if the approved parts washing recycling system.
- The parts washing system is serviced and cleaned by the outside contractor. If the equipment needs service or cleaning please inform management.
- Parts washers are to remain closed when not in use to avoid loss of product and evaporation into the atmosphere.
- Clean rags are provided for clean-up. These rags are to be placed in the rag recycling container located in the shop where they are laundered by a licensed industrial launderer.

5.3.5 Paint and Solvent Management

Materials for safe paint/solvent disposal:

- Absorbent pads.
- Clean rags for small spills.
- Large spills notify fire department.

Signs:

Clearly marked "paint waste/solvent container"

Procedures for disposal of paint/waste solvent:

- Paint and solvent can be drained into the paint/solvent waste container located in the service shop.
- Empty cans, brushes, and rollers may be placed in waste receptacle for regular disposal.
- Cans still in use shall be securely covered and placed upright in the marked trays in the service building.
- Make sure waste container is sealed following placement of waste material.
- Container is emptied quarterly by a licensed hazardous waste disposal company. If the marina meets the criteria for a conditionally exempt small quantity generator (CESQG) it may dispose of the waste at a Collier County collection event.

5.3.6 Solid Waste Management

The facility provides solid waste receptacles for the disposal of general refuse generated by the boaters. These receptacles are located in the uplands adjacent to the access walkways and have closing lids to eliminate spillage that could enter the waterway. For large bulk waste boaters are to use the large dumpsters located on-site.

Materials for solid waste management:

- Windproof animal proof waste containers are located near the docks at the facility.
- Brooms and dustbins are located in the service area.
- Wood pallets for used battery storage are located in the service area.
- Dip nets are available in the service department.

Signs for solid waste management:

Please keep this marina and the environment clean. Dispose of waste in the provided containers.

Solid waste procedures:

- The perimeter of the facility is to be walked daily with any observed waste at the facility or in the water collected and disposed of in appropriate containers.
- All trash found floating in the water should be netted out and disposed of in appropriate containers.
- Trash and sweeping are to be placed in the facility's covered/windproof containers.
- Any employee noting a full trash container shall empty the container into the facilities dumpster.
- Facility dumpsters are emptied by a licensed contractor on a weekly basis.

- If you are unsure about the appropriate disposal method ask management. The marina can face stiff fines if materials are improperly disposed.
- Used paintbrushes, empty cans and dry rollers may be disposed of in regular waste receptacle.

5.3.7 Recycling

The facility supports and encourages all boaters to recycle whenever possible. Collier County provides recycling centers for items that are not to be disposed of in the traditional waste receptacles. The Recycling Centers can be used by all residents and businesses within Collier County.

Household Hazardous Waste:

Collier County – All household hazardous waste collection centers are authorized to accept CESQG waste

Collier County Landfill – 3730 White Lake Blvd., Naples

Marco Recycling Drop-Off Center – 900 Chalmer Drive, Marco Island

N. Collier Recycling Drop off Center – 9950 Goodlette Frank Road, N., Naples

Immokalee Landfill #2 – 700 Stockade Road #2, Immokalee

Naples Recycling Drop off Center – 2640 Enterprise Ave, Naples

None of the following items are to be disposed of at the Facility

The following items **must be** recycled and can be dropped off at the Recycling Centers, anti-freeze (10 gallon limit), appliances, electronics, car batteries, cooling oil (10 gallon limit), motor oil (10 gallon limit), hazardous waste, paint, transmission/hydraulic 910 gallon limit), and ni-cad/rechargeable batteries.

The following items **may be** recycled and can be dropped off at the Recycling Centers, all plastics, food trays, egg cartons, aluminum cans, catalogs, corrugated, cardboard, fluorescent lamps, glass bottles & jars (green, brown, and clear), junk mail, magazines, mercury devices, newspaper, office paper, paper grocery bags, phone books, plastic grocery bags, scrap aluminum, scrap metals, steel cans, textiles, tin cans, etc.

5.3.8 Battery Disposal

Alkaline batteries are not hazardous. All non-rechargeable A, C, and D cell batteries may be disposed of in waste receptacles. Other batteries, such as those found in hearing aids, cell phones, cameras, and rechargeable batteries have toxic substances such as nickel, cadmium or lithium in them and are to be recycled. All lead acid batteries for cars, trucks, boats, motorcycles, tractors, etc. are hazardous waste and are required to be recycled or disposed of properly. Rose Marina provides a designated secure area where rechargeable batteries that are no longer usable can be stored for recycling.

Materials for battery management:

- Sodium bicarbonate as a neutralizing agent.
- Safety goggles.
- Battery carrying lanyards.
- Wood pallets located in a covered section of the service area.

Signs for battery Management:

Signs will be posted around the facility to alert the public to the disposal ban on lead acid batteries, and to inform them of the facilities ability to responsibly recycle used batteries.

Procedures for used battery management:

- Wear safety goggles when handling batteries.
- Use battery handling lanyards if handles are not present.
- Lead acid batteries are stored in Service Area. The batteries are to be stored on wooden pallets in the marked area.
- The batteries are to have their caps in place and to remain out of the elements. Prolonged direct sunlight can weaken the battery casing and lead to an acid release.
- A battery company picks up and recycles batteries weekly.

Employee education plan:

- Training will be performed by Marina Management Staff.
- Training will be provided within a week of hiring and will be refreshed on an annual basis.
- Training will be provided in handout form and through demonstration.

5.3.9 Boat Washing

In-water Boat Cleaning

Signs notifying patrons of responsible boat cleaning methods as well as signs highlighting the biodegradable soaps that are available at the Marina Store will be posted at that dock. Signs will also highlight the availability of boat washing by Marina Staff in an approved, out of the water, location.

Procedures for boat cleaning:

- When possible the boat is to be removed from the water and cleaned in the approved boat washing area.
- In-water pressure washing for boat cleaning is prohibited at the facility.
- In-water hull scraping is prohibited at the facility.

Out of Water Boat Cleaning

A boat washing area has been designed in the uplands of the facility. Hull washing and scraping is to occur only in the washing area. The boat shall be removed from the water on the travel lift and moved to the approved location. Before washing, the area around the boat shall be surrounded by a vacu-boom. After each cleaning activity the area is to be washed and the vacu-boom allowed to dry. Any residual debris is to be swept/vacuumed up, then bagged and placed in a trash receptacle.

Materials for Boat Washing:

- A designated boat washing and scraping area has been designed for the facility.
- Safety glasses and masks are to be worn.

Boat cleaning procedures-permanent cleaning area:

- Hull cleaning and scraping is to occur only in the approved cleaning basin.
- The water used in the cleaning area is captured in a drain basin that water is processed through a filtering system and reused.
- All hull scraping residue is to be swept up and placed in the dumpster for disposal at the Collier landfill.
- All filtration systems for the sanding and washing basins will be inspected weekly and maintained to assure proper function.

Hull Sanding and Painting

Boat painting/scraping/sanding is to occur only in the approved area located in the uplands. The area shall be clean before painting/scraping/sanding activities and tarps are to be laid down with weighted sand bags. No sanding shall take place when strong winds greater than 20 mph are present.

Materials for responsible painting and sanding:

- A designated painting area is located in the center of the service yard.
- Brooms for cleaning of the area when sanding is complete.
- Rollers and brushes for hull painting.
- Clean rags to clean small spills to be placed in a fireproof container when soiled.
- Paint sanding waste is to be disposed of properly.

Procedures for Sanding:

- Sanding is to occur only in approved designated area.
- The area should be cleaned before painting/sanding.
- No sanding shall take place when strong winds greater than 20 mph are present.
- Area is to be swept after each sanding or painting operation.

- Paint sanding waste is to be disposed properly.

Procedures for painting:

- Paint is to be applied by hand, either by roller or by brush.
- Spills should be cleaned with clean rags.
- Empty paint cans and rollers/brushes should be disposed of in a solid waste receptacle for regular disposal.
- Cans still containing paint are to be covered and stored in the service building.
- Unused paint to be discarded shall be placed in the paint/solvent drum located in the service building area.

Employee Education Plan:

- Training will be performed by the Marina Management Staff and by licensed hazardous waste management staff.
- Training will be provided within a week of hiring and will be refreshed on an annual basis.
- Training will be provided in handout form and through demonstration.

5.3.10 Stormwater Management

The facility is required to maintain the stormwater system detailed in the permits for the property. The stormwater management system is to be inspected daily with any observable waste or debris collected and disposed of in an appropriate container. Any plants found in the dry detention areas will be removed to prevent overgrowth. All discharge structures are to be free of debris. Sedimentation found at the discharge structures shall be removed weekly. This will ensure that the discharge will be adequate to lower the water level down to the detention area bottom within 72 hours. Debris can be disposed of in the dumpster. This procedure will remain in place until such time as a permitted modification to the stormwater system is installed.

- All upland stormwater structures are fitted with filters that absorb heavy metals and petroleum hydrocarbons.
- These filters are to be checked on a weekly basis and changed on a frequency sufficient to ensure effective absorption of heavy metals and petroleum hydrocarbons.
- The used filters are to be bagged and placed in the dumpster for disposal at the Collier Land Fill.

5.3.11 Sewage Pump-out

The facility maintains a fully operational sewage pump-out system at all times. The sewage pump-out is open to the public. The hours of operation are 8:00 a.m. to 5:00 p.m., seven days a week. For assistance, with the sewage pump-out, please see marina staff.

Within 24 hours of a malfunction or failure of the sewage pump-out system the facility shall notify the FDEP's South District Office in writing to FTMERP_Compliance@dep.state.fl.us of the failure or malfunction as well as advise the FDEP of the course of action taken to rectify the problem. This includes but is not limited to, ordering parts not currently stocked at the facility and/or sending the device out for immediate repair, or maintaining a portable unit as backup.

The facility shall maintain the sewage pump-out per the manufacturers schedule of maintenance to ensure that the sewage pump-out facility remains functional at all times.

All staff shall be properly trained on how to use the sewage pump-out system including: pumping out the holding tank of a vessel, pumping out containers simulating a holding tank, proper disposal of sewage, proper clean-up of the equipment, and properly completing the sewage pump-out log.

Materials for Responsible Sewage Pump-out:

- Rose Marina has a sewage pump-out facility located at the fuel dock.
- Sewage pump-out control sheet.

Signs for Pump-out:

While Rose Marina prohibits liveaboards, we are happy to offer pump-out services. Discharge of sewage into the water is prohibited at the facility. If your vessel needs pump-out service, please contact marina personnel. We also encourage you to use the public facilities provided next to the ships store while you are docked at our facility.

Employee Education Plan:

Each vessel must have sanitary equipment on board as is required by all applicable federal, state and local authorities. No Vessel shall be deemed to be in compliance with this section if such equipment is not fully operational or if such equipment, such as a holding tank or approved sanitary systems, is bypassed or altered contrary to such requirement. The Dockmaster shall have the right to board the vessel upon reasonable notice to inspect the vessel for compliance with this section. Each vessel owner shall be responsible for pumping out and discharging all sewage contained in holding tanks into the on-site sanitary sewer system/pump-out station, as often as necessary. In no event, may a vessel owner discharge sewage or any other foreign substance into the waters of the Marina.

All vessels moored overnight shall be equipped with an approved and properly operating marina sanitation device that meets the requirements of Section 327.53, Florida Statutes.

Sewage Pump-out Log

This facility is required to keep a Sewage Pump-out Log for the portable pump-out device. The facility enters each pump-out performed in the log. Each log entry shall include the following:

- Date of the Pump-out;
- Approximate volume of the pump-out;
- Identification of the vessel (e.g. name, registration, or documentation number);
- Slip number (if the vessel is moored at the marina);
- Signature of the person performing the pump-out.

5.3.12 Hurricane or Tropical Storm

In the event of adverse weather and/or hurricane conditions, boat owners will be responsible for following all safety precautions as may be issued or recommended by the National Hurricane Center, National Weather Service, U.S. Coast Guard, the Association or any other applicable agency. Boat owners shall also take all necessary precautions for the safety of their vessels and are solely responsible for any damage to their vessels or caused to the Marina Facilities by their vessels. Owners may be required to relocate their vessels in the Marina, or remove their vessels as directed by the Dockmaster. If so directed, immediate compliance is required or the Dockmaster will have the authority to implement any directives, and the owner shall be responsible for the costs incurred, including storage fees for offsite storage of the vessel. Notwithstanding the foregoing, the Marina is under no duty to any owner or guest to ensure the safety of any vessel moored in the Marina or to act in any affirmative manner to protect vessels in the event of adverse weather or other act of God, vandalism, mischief or malicious act.

5.3.13 Mooring of Vessels

There shall be no mooring of vessels outside of the Sovereign Submerged Land Lease (SSLL) boundaries specified by SSLL#110874995. "All parts of all vessels" moored at the facility in the water on a temporary or permanent basis shall at all times be within the Lease boundaries. **All parts of all vessels includes any extensions of vessels including, but not limited to, bow pulpits, dive platforms, nets, trawl doors, outboard motors, outdrives and dinghies.**

5.3.14 Repair Structures

The facility shall repair and/or replace all dock structures and pilings that are in a state of disrepair or non-functional on a continual basis. **Any change in size (length or width) or location of structures will require Department regulatory and proprietary authorization prior to construction of the structure modifications.**

5.3.15 Special Events

All special events that are to be held at the facility shall take place entirely on privately owned bottom lands and not within the SSLL.

5.3.16 Comply with Water Quality Standards

The facility shall ensure that all activities comply with applicable State Water Quality Standards, namely:

- Rule 62-302.500, F.A.C. – Surface Waters: Minimum Criteria, General Criteria
- Rule 62-302.530, F.A.C. – Table: Surface Water Quality Criteria – Class II Waters

All activities including, but not limited to, construction, operation, maintenance and use of the facility or any and all activities conducted at the facility will comply with surface water quality standards pursuant to Chapter 62-302 F.A.C.

5.3.17 Written Notice to Slip Tenants

The facility shall provide the following **written notice** to each vessel upon entrance to the facility:

- Discharge of black water (sewage) to surface waters is prohibited.
- A sewage pump-out facility exists at the marina and its use is encouraged.
- Notification of how to obtain pump-out service.
- Notice that all waste discharge valves (waste seacocks) on each liveaboard vessel shall be secured in the closed position and that waste seacock seals will be installed and inspected.
- A vessel that either does not possess a current vessel registration and title as required in accordance with Chapters 327 and 328, Florida Statutes (F.S.), or does not have a current vessel registration and title as required by another state or country is considered a floating structure and is prohibited at this facility.
- Prohibition of floating structures are defined by Section 327.02(09), F.S. on/over Sovereignty Submerged Lands.
- All vessels allowed to moor or dock or otherwise utilize the Leased area shall be maintained in a fully operational condition, capable of moving by self-propulsion.

5.3.18 Slip Rental Agreement

The Slip Rental Agreement shall contain, but is not limited to the following:

- Liveaboards are prohibited at this facility.
- Prohibition of discharge to surface waters of any black water (sewage).
- Notice that upland restroom and shower facilities are available 24 hours per day and the use is free as part of the slip rental fee and indicate the location.
- Notice that sewage pump-out is available, the use is free as part of the slip rental free and indicate the location.
- Requirement that all seacocks (waste discharge valves) of each vessel be sealed in the closed position to prevent sewage discharge.
- Notice that ejection from the marina will occur if the slip renter does not comply with all of the above requirements.

- Requirement that all vessels allowed to moor or dock or otherwise use the Leased area shall be maintained in a fully operational condition, capable of moving by self-propulsion.

5.3.19 Permanent Manatee Signage

The facility has purchased and installed permanent manatee signage in compliance with the Florida Fish and Wildlife Conservation Commission (FWC), Imperiled Species Management Section (ISMS). The facility shall ensure that the view of the permanent manatee signage is not obscured in any manner at any time. The facility shall immediately replace the manatee signage in the event that the signs fade or become damaged and maintain signs for the life of the facility.

5.3.20 Navigational Signage

The facility shall maintain any approved and/or required navigational signage for the life of the facility and replace the signs in the event that the signs fade or become damaged.

EMPLOYEE VERIFICATION FORM

I _____, hereby affirm that I have been provided a copy of, and have read the Rose Marina, Marina Operations and Management Plan. I agree to abide by all rules contained within and will notify Marina management of violations of the rules.

Signature of Employee

Printed Name of Employee

Date

PUMPOUT LOG

[illegible]